



Alameda CTC Commission Agenda

Thursday, February 25, 2021, 2:00 p.m.

Due to the statewide stay at home order and the Alameda County Shelter in Place Order, and pursuant to the Executive Order issued by Governor Gavin Newsom (Executive Order N-29-20), the Commission will not be convening at its Commission Room but will instead move to a remote meeting.

Members of the public wishing to submit a public comment may do so by emailing the Clerk of the Commission at vlee@alamedactc.org by 5:00 p.m. the day before the scheduled meeting. Submitted comments will be read aloud to the Commission and those listening telephonically or electronically; if the comments are more than three minutes in length the comments will be summarized. Members of the public may also make comments during the meeting by using Zoom's "Raise Hand" feature on their phone, tablet or other device during the relevant agenda item, and waiting to be recognized by the Chair. If calling into the meeting from a telephone, you can use "Star (*) 9" to raise/ lower your hand. Comments will generally be limited to three minutes in length, or at the discretion of the Chair.

Chair: Pauline Russo Cutter,
Mayor City of San Leandro

Vice Chair: John Bauters,
Councilmember City of Emeryville

Executive Director: Tess Lengyel

Clerk of the Commission: [Vanessa Lee](#)

Location Information:

Virtual Meeting Information: <https://zoom.us/j/96043846318?pwd=akw1S0J1S3V2WkM4Rmw4V3RoVitPQT09>
Webinar ID: 960 4384 6318
Password: 153724

For Public Access Dial-in Information: 1 (669) 900 6833
Webinar ID: 960 4384 6318
Password: 153724

To request accommodation or assistance to participate in this meeting, please contact Vanessa Lee, the Clerk of the Commission, at least 48 hours prior to the meeting date at: vlee@alamedactc.org

Meeting Agenda

1. Call to Order

2. Roll Call

3. Public Comment

4. Chair and Vice Chair Report

5. Executive Director Report

6. Consent Calendar Page/Action

Alameda CTC standing committees approved all action items on the consent calendar, except Item 6.1, 6.2 and 6.8

- | | | |
|--|----|---|
| 6.1. Approve January 28, 2021 Special Meeting Minutes | 1 | A |
| 6.2. Approve January 28, 2021 Commission Meeting Minutes | 3 | A |
| 6.3. Approve Transportation Fund for Clean Air (TFCA) FY 2021-22 Expenditure Plan Application and Call for Projects | 7 | A |
| 6.4. Approve actions necessary to facilitate project advancement into the Preliminary Engineering / Environmental phase for the State Route 262 (Mission Blvd) Cross Connector Project – Phase 1 | 27 | A |
| 6.5. Approve actions necessary to facilitate project advancement into the construction phase for the I-680 Southbound Express Lanes from SR-84 to Alcosta Boulevard Project | 49 | A |
| 6.6. Approve Amendment No. 4 to Agreement A16-0075 with HNTB Corporation for the I-680 Sunol Express Lanes Project for System Manager services | 63 | A |
| 6.7. Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments | 67 | I |
| 6.8. Community Advisory Committee Appointments | 69 | A |

7. Community Advisory Committee Written Reports (Report Included in Packet)

- | | | |
|--|----|---|
| 7.1. Bicycle and Pedestrian Advisory Committee | 73 | I |
|--|----|---|

8. Planning, Policy and Legislation Committee

The Planning, Policy and Legislation Committee approved the following action item, unless otherwise noted in the recommendations.

- | | | |
|---|----|-----|
| 8.1. 2020 Multimodal Performance Report Update | 79 | I |
| 8.2. Federal, state, regional and local legislative activities update | 81 | I/A |

9. Closed Session

- | | |
|--|---|
| 9.1. Pursuant to California Government Code section 54956.9 (d)(4) Conference with General Counsel regarding anticipated litigation related to proposed acquisition of real property interests necessary for the I-80/Gilman Street Interchange Project. | I |
| 9.2. Pursuant to California Government Code section 54956.9 (d)(1) Conference with General Counsel regarding current litigation with Union Pacific Railroad for the 7th Street Grade Separation East Project, Union | I |

Pacific Railroad Company, Plaintiff, v. Alameda County Transportation Commission, et al., Defendants, filed in Federal District Court.

9.3. Pursuant to California Government Code section 54569 (d)(2) |
Conference with General Counsel regarding potential litigation
regarding implementation of the GoPort Project.

9.4. Report on Closed Session |

10. Resolution of Necessity Hearing

10.1. [Consideration of Adoption of three Resolutions of Necessity Authorizing Filing of Eminent Domain Actions to Acquire Real Property Interests Necessary for the Interstate 80/Gilman Street Interchange Improvement Project](#) 87 A

Recommendation:

1) Conduct hearings on Resolutions of Necessity and consider all the evidence presented for the acquisition of the real property interests necessary for the Interstate 80 (I-80)/Gilman Street Interchange Improvement Project (Project) as outlined in the report; and

2) Adopt, **by at least a four-fifths vote of the membership of the Commission (i.e., at least 18 members)**, Resolutions of Necessity making the findings that the public interest and necessity require the Project; that the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; that the property interests sought to be acquired are necessary for the Project; and that the offers required by Section 7267.2 of the Government Code have been made to the owners of record, and authorizing the commencement of eminent domain proceedings.

11. Commission Member Reports

12. Adjournment

Next Meeting: March 25, 2021

Notes:

- All items on the agenda are subject to action and/or change by the Commission.
- To comment on an item not on the agenda, submit an email to the clerk or use the Raise Hand feature or if you are calling by telephone press *9 prior to or during the Public Comment section of the agenda. Generally public comments will be limited to 3 minutes.
- Call 510.208.7450 (Voice) or 1.800.855.7100 (TTY) five days in advance to request a sign-language interpreter.
- If information is needed in another language, contact 510.208.7400.
- Call 510.208.7400 48 hours in advance to request accommodation or assistance at this meeting.
- Meeting agendas and staff reports are available on the [website calendar](#).



Alameda CTC Schedule of Upcoming Meetings March 2021

Commission Chair

Mayor Pauline Russo Cutter
City of San Leandro

Commission Vice Chair

Councilmember John Bauters
City of Emeryville

AC Transit

Board President Elsa Ortiz

Alameda County

Supervisor David Haubert, District 1
Supervisor Richard Valle, District 2
Supervisor Wilma Chan, District 3
Supervisor Nate Miley, District 4
Supervisor Keith Carson, District 5

BART

Vice President Rebecca Saltzman

City of Alameda

Mayor Marilyn Ezy Ashcraft

City of Albany

Councilmember Rochelle Nason

City of Berkeley

Councilmember Lori Droste

City of Dublin

Mayor Melissa Hernandez

City of Fremont

Mayor Lily Mei

City of Hayward

Mayor Barbara Halliday

City of Livermore

Mayor Bob Woerner

City of Newark

Councilmember Luis Freitas

City of Oakland

Councilmember At-Large
Rebecca Kaplan
Councilmember Sheng Thao

City of Piedmont

Councilmember Jen Cavanaugh

City of Pleasanton

Mayor Karla Brown

City of Union City

Mayor Carol Dutra-Vernaci

Executive Director

Tess Lengyel

Commission and Committee Meetings

Time	Description	Date
9:00 a.m.	Finance and Administration Committee (FAC)	March 8, 2021
10:00 a.m.	Programs and Projects Committee (PPC)	
11:30 a.m.	Planning, Policy and Legislation Committee (PPLC)	
2:00 p.m.	Alameda CTC Commission Meeting	March 25, 2021

Advisory Committee Meetings

1:30 p.m.	Alameda County Technical Advisory Committee (ACTAC)	March 4, 2021
5:30 p.m.	Independent Watchdog Committee (IWC)	March 8 2021
9:30 a.m.	Paratransit Technical Advisory Committee (ParaTAC)	March 9, 2021
1:30 p.m.	Joint Paratransit Advisory and Planning Committee and Paratransit Technical Advisory Committee (PAPCO/ParaTAC)	March 22, 2021

Due to the statewide stay at home order and the Alameda County Shelter in Place Order, and pursuant to the Executive Order issued by Governor Gavin Newsom (Executive Order N-29-20), the Commission will not be convening at its Commission Room but will instead move to a remote meeting.

Meeting materials, directions and parking information are all available on the [Alameda CTC website](http://www.AlamedaCTC.org). Meetings subject to change.



Alameda County Transportation Commission Commission Special Meeting Minutes Thursday, January 28, 2021, 1 p.m.

6.1

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

1. Welcome and Call to Order

Chair Cutter called the meeting to order and informed the Commission that a Special Meeting is taking place to provide refresher training to the Commissioners on the Brown Act and Alameda CTC Administrative Code, Levine Act, and Robert's Rules of Order.

2. Roll Call

A roll call was conducted. All members were present with the exception of Commissioners Carson, Cavanaugh, Freitas, Haubert, Kaplan, Miley, Saltzman, Valle.

Commissioner Cox attended as an alternate for Commissioner Chan.

Subsequent to the roll call:

Commissioner Kaplan arrived during item 3.

3. Public Comment

There were no public comments.

4. Commissioners Training: Brown Act and Administrative Code, Levine Act, and Robert's Rules of Order

Tess Lengyel stated that while many Commissioners undergo Brown Act training at their jurisdictions, this training was intended to be a refresher and provide the Commission with information on Alameda CTC's public meeting practices. Ms. Lengyel introduced Amara Morrison and Neal Parish, both of Wendel Rosen, who presented an overview of Brown Act fundamentals, Alameda CTC's administrative code, Robert's Rules of Order and the Levine Act. Ms. Morrison and Mr. Parish discussed Alameda CTC's public meeting protocols and best practices concerning public engagement, member voting and tips for conducting efficient virtual meetings.

Commissioner Bauters noted that the California Fair Political Practices Commission (FPPC) updated recusal requirements and asked if the new requirements applied to Alameda CTC. Mr. Parish stated that the recusal process included in Alameda CTC's Conflict of Interest Code is in compliance with all FPPC requirements. He also noted that the regulation states that if there is a conflict, the member must announce their recusal before leaving the meeting.

Commissioner Halliday noted that many of the Commissioners are members of the Mayors' Conference and she asked if discussions at the Mayors Conference meetings between Alameda CTC Commissioners could potentially violate the Brown Act. Mr. Parish

stated that the Brown Act rules for meeting violations are exempt if a member is involved in another meeting that is subject to Brown Act regulations. Ms. Lengyel referred to Alameda CTC's Committee assignments to share the number of members appointed and what constitutes a Committee quorum and a Commission quorum.

Commissioner Halliday asked if roll call votes will continue to take place for regular in-person meetings. Mr. Parish stated that a roll call vote is not necessary unless someone is participating by teleconference. He noted that every action voted on by the Commission must be reported in the minutes and show how each member voted.

Commissioner Bauters asked how FPPC regulation 18702.0 regarding real property interests affected Commission members and he requested that legal counsel provide guidance on this ruling as it relates to the recusal process. Ms. Morrison stated that the Commission occasionally initiates eminent domain proceedings to acquire property and she recommended that Commissioners who have questions or a potential conflict contact legal counsel directly.

Commissioner Kaplan asked if staff can help track compliance with FPPC Rules involving property acquisition if the Commissioners provide their property address to Alameda CTC. Ms. Lengel stated that staff will work with legal counsel to ensure compliance if the agency is considering eminent domain procedures.

5. Adjournment

The next Commission meeting is Thursday, February 25, 2021 at 2:00 p.m.



Alameda County Transportation Commission Commission Meeting Minutes Thursday, January 28, 2021, 2 p.m.

6.2

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

1. Call to Order

2. Roll Call

A roll call was conducted. All members were present with the exception of Commissioners Cavanaugh, Freitas, Miley, and Saltzman,

Commissioner Cox attended as an alternate for Commissioner Chan.

Subsequent to the roll call:

Commissioners Cavanaugh and Miley arrived during item 3. Commissioner Saltzman arrived during item 5.

3. Public Comment

There were no public comments.

4. Election of Commission Chair and Vice Chair

4.1. Approve the election of the Commission Chair and Vice-Chair

Tess Lengel stated that pursuant to the Alameda CTC Administrative Code, the Commission elects the Chair and Vice Chair at its organizational Commission meeting each year. She noted that it is practice for the Chair and Vice Chair to serve two terms and she stated that the current Chair and Vice Chair have completed their first term.

Commissioner Dutra-Vernaci moved to nominate Commissioner Cutter as the Chair of the Commission and Commissioner Bauters as Vice Chair of the Commission. Commissioner Ezzy Ashcraft seconded the motion. The motion passed with the following roll call votes:

Yes: Bauters, Brown, Carson, Cavanaugh, Cox, Cutter, Droste, Dutra-Vernaci, Ezzy Ashcraft, Halliday, Haubert, Hernandez, Kaplan, Mei, Miley, Nason, Ortiz, Thao, Valle, Woerner
No: None
Abstain: None
Absent: Freitas, Saltzman

5. Chair and Vice Chair Report

Chair Cutter thanked the Commission for having confidence in her and Commissioner Bauters to continue serving as Chair and Vice Chair for Alameda CTC. Commissioners Bauters thanked his colleagues, Commissioner Cutter and Tess Lengyel for the opportunity to continue to serve. Chair Cutter then welcomed the new Alameda CTC Commissioners that were recently appointed to the Commission as well as Commissioners who are now

serving in new capacities. Chair Cutter noted that it will be a busy and productive year for project and program delivery, specifically programming funds for projects throughout the county, and policy development and advocacy. She stated that the agency is establishing its legislative priorities for the year and Alameda CTC's federal lobbyists will provide an update on what is going on in Washington, D.C. with the new Biden-Harris administration. Chair Cutter provided a summary of key initiatives for this year including advancing active transportation and safety for all ages and abilities; advancing Transit Oriented Development to support transportation, housing and jobs; and delivering environmentally supportive and equity focused investments and programs.

Vice Chair Bauters provided instructions to the Commission regarding technology procedures including instructions on administering public comments during the meeting.

6. Executive Director Report

Tess Lengyel congratulated Chair Cutter and Vice Chair Bauters on their re-election. Ms. Lengyel noted that Alameda CTC staff are fully committed to continuing to support the promise to the voters for high quality planning and project delivery and for helping with economic recovery and access. Ms. Lengyel highlighted progress and key efforts made by staff on various projects and programs. She noted that groundbreakings for the Multimodal Gilman Interchange Project and the I-680/SR 84 Multimodal Interchange Improvements are scheduled for this spring.

7. Consent Calendar

- 7.1. Approve December 3, 2020 Commission Meeting Minutes
- 7.2. Approve December 28, 2020 Commission Meeting Minutes
- 7.3. Alameda CTC Committee Assignments
- 7.4. I-580 Express Lanes Operations Update
- 7.5. Link21 Project Briefing (formerly the New Transbay Rail Crossing Project)
- 7.6. Allocation for the Project Initiation Document phase of the West End Bike Ped Bridge Project
- 7.7. Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments
- 7.8. Approve Community Advisory Committee Appointments

A public comment was heard on Item 7.6 from Jim Straylow noting that the West End Bike Ped Bridge Project should include moving vehicles across the path from Oakland to Alameda.

Commissioner Bauters moved to approve the consent calendar. Commissioner Ortiz seconded the motion. The motion passed with the following roll call votes:

Yes:	Bauters, Brown, Carson, Cavanaugh, Cox, Cutter, Droste, Dutra-Vernaci, Ezzy Ashcraft, Halliday, Haubert, Hernandez, Kaplan, Mei, Miley, Nason, Ortiz, Saltzman, Thao, Valle, Woerner
No:	None
Abstain:	None
Absent:	Freitas

8. Community Advisory Committee Written Reports

8.1. Bicycle and Pedestrian Advisory Committee Summary Minutes

Tess Lengyel stated that the written report was included in the packet.

8.2. Independent Watchdog Committee Summary Minutes

Tess Lengyel stated that the written report was included in the packet.

9. Planning, Policy and Legislation Committee

9.1. State and federal legislative activities update and approval of the 2021 Legislative Program

Tess Lengyel stated that the Commission will receive an update on federal, state, regional, and local legislative activities and will be asked to approve the 2021 Alameda CTC legislative program. Ms. Lengyel introduced Maisha Everhart, who stated that Emily Bacque, of C.J. Lake, and Jen Covino, of Simon & Company, will provide the Committee with a federal update. Ms. Covino provided updates on the federal executive activities. She reviewed President-elect Biden's appointments and nominations for the incoming Biden/Harris administration along with their priorities and plans for upcoming initiatives. Ms. Covino informed the Commission that Pete Buttigieg had been nominated as the new Transportation Secretary. Ms. Bacque provided updates on federal legislation and noted that the Democrats will now have slim control in the Senate. Ms. Bacque reviewed key members of the House and Senate related to transportation.

Commissioner Cutter asked if multiple agencies should band together to increase the opportunity for grant funding. Ms. Covino stated that the Secretary Designate has expressed the desire to simplify and streamline the application process for some of the larger programs. Ms. Bacque said that the more regional support you have, the more congressional support you can get.

Commissioner Cutter requested Ms. Bacque and Ms. Covino to schedule virtual meetings with the federal administration for Alameda CTC Commissioners and staff since travel and meeting in-person are not viable at this time.

Commissioner Mei requested information on broadband and wanted to know if it can be included in the infrastructure initiatives at the federal level. Ms. Bacque stated that broadband and smart cities can be included in many infrastructure initiatives. Ms. Covino stated that the Invest in America Act that was passed last year included \$100 billion for broadband in underserved communities.

Commissioner Ezzy Ashcraft stated that she is encouraged by Secretary Buttigieg's support for Vision Zero and active transportation and how it ties into climate change. She encouraged the Commission to capitalize on the work that the Biden-Harris Administration is working on.

Commissioner Saltzman stated that she supports the legislative program. She also encouraged staff to keep the legislative document shorter and try to avoid using jargon.

Commissioner Ortiz thanked Alameda CTC staff for including the items she requested on behalf of AC Transit at the PPLC meeting.

Commissioner Halliday moved to approve this item. Commissioner Nason seconded the motion. The motion passed with the following roll call votes:

Yes: Bauters, Brown, Carson, Cavanaugh, Cox, Cutter, Droste,
Dutra-Vernaci, Ezzy Ashcraft, Halliday, Haubert, Hernandez, Kaplan,
Mei, Miley, Nason, Ortiz, Saltzman, Thao, Valle, Woerner
No: None
Abstain: None
Absent: Freitas

10. Sales Tax Revenue Update

10.1. FY2019-20 Sales Tax Revenues Update

Tess Lengyel noted that Alameda CTC is committed to bringing frequent updates on sales tax revenue to the Commission. She introduced Jeannie Chen, Director of Finance, who provided an update on the FY2019 Sales Tax Revenues. Ms. Chen stated that sales tax revenue was affected late in the third quarter of FY2019-20 due to the effects of the pandemic. Alameda CTC adopted a very conservative sales tax revenues budget for FY2020-21 of \$290 million and Alameda CTC collected actual sales tax revenues of \$138.2 million to date. Sales tax revenue collections year-to-date leaves the Alameda CTC in a stronger than expected position than was projected for FY2020-21. Ms. Chen stated that staff will keep the Commission updated on sales tax revenue collections for FY2020-21 as events related to the pandemic continue to unfold, and will propose an update to the sales tax revenue budget if and when it becomes appropriate to do so. She concluded her report by stating that another variable positively affecting sales tax revenues in the last year was the supreme court decision in the Wayfair case made in June 2018.

This item is for information only.

11. Closed Session

The Commission went to closed session item 11.1 pursuant to California Government Code section 54956.9 (d)(1) Conference with General Counsel regarding current litigation with Union Pacific Railroad for the 7th Street Grade Separation East Project, Union Pacific Railroad Company, Plaintiff, v. Alameda County Transportation Commission, et al., Defendants filed in Federal District Court; and item 11.2 pursuant to California Government Code section 54569 (d)(2) Conference with General Counsel regarding potential litigation regarding pursuit of the GoPort Project.

11.3. Report on Closed Session

Alameda CTC General Counsel Zack Wasserman Stated that no action was taken in closed session.

12. Adjournment

The next meeting is Thursday, February 25, 2021 at 2:00 p.m.



Memorandum

6.3

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: February 18, 2021

TO: Alameda County Transportation Commission

FROM: Vivek Bhat, Director of Programming and Project Controls
Jacki Taylor, Senior Program Analyst

SUBJECT: Approve Transportation Fund for Clean Air (TFCA) FY 2021-22
Expenditure Plan Application and Call for Projects

Recommendation

It is recommended that the Commission approve Resolution 21-002 regarding the TFCA County Program Manager (CPM) FY 2021-22 Expenditure Plan Application, due to the Air District by March 3, 2021.

Summary

As the designated TFCA County Program Manager (CPM) for Alameda County, the Alameda CTC is required to annually program the TFCA CPM revenue received from the Bay Area Air Quality Management District (Air District). It is recommended the Commission approve Resolution 21-002 (Attachment A), regarding the fiscal year (FY) 2021-22 TFCA CPM Expenditure Plan Application (Attachment B) and its submittal to the Air District. The FY 2021-22 TFCA Expenditure Plan Application identifies approximately \$2.8 million of FY 2021-22 funding available for programming and is due to the Air District by March 3, 2021, prior to a detailed program of projects. In lieu of a stand-alone TFCA call for projects this year, the FY 2021-22 funding, along with \$829,425 of unprogrammed FY 2020-21 funding, was included in the fund estimate for the 2022 Comprehensive Investment Plan (CIP) call for projects, released December 2020.

Background

TFCA funding is generated by a four-dollar vehicle registration fee administered by the Air District. Projects eligible for TFCA funding are to result in the reduction of motor vehicle emissions and achieve surplus emission reductions beyond what is currently required through regulations, ordinances, contracts, or other legally binding obligations. Projects eligible for TFCA include shuttles, bike lanes and bike parking, signal timing and transit signal priority, travel demand management (TDM) programs and alternative fuel vehicles

and fueling/charging infrastructure. The Alameda CTC is responsible for programming 40 percent of the revenue generated within Alameda County for this program. A total of 6.25% percent of new revenue is set aside for Alameda CTC's administration of the program. Per the distribution formula for Alameda County's share of TFCA funding, 70 percent of the available funds are to be allocated to the cities and County based on population, with a minimum of \$10,000 to each jurisdiction. The remaining 30 percent of funds are to be allocated to transit-related projects on a discretionary basis. A jurisdiction's projected future share may be borrowed against in order for a project to receive more funds in the current year, which helps facilitate the required annual programming of all available funds.

For reference, a draft FY 2021-22 TFCA fund estimate (Attachment C) identifies how the funding in the FY 2021-22 Expenditure Plan Application is distributed per the county-level funding formula and reflects any adjustments from returned funds from closed projects and unprogrammed balances from prior cycles. Projects proposed for TFCA funding through the 2022 CIP are to be consistent with the Air District's TFCA CPM Fund Policies (Attachment D) and cost-effectiveness requirements. There are no substantive changes to the CPM Fund Policies from last year. Consistent with the 2022 CIP Guidelines, the available FY 2021-22 TFCA funding will be focused towards bicycle and pedestrian and transit projects.

FY 2021-22 Revenue

The FY 2021-22 TFCA Expenditure Plan Application establishes the amount of TFCA funds available for programming to projects and program administration and is based on the Air District's Department of Motor Vehicles (DMV) revenue estimates for the same period. Additionally, previously programmed TFCA funds remaining from closed (i.e., cancelled or completed) projects are returned to the Alameda CTC's fund estimate for reprogramming. These adjustments are detailed on the second page of the Expenditure Plan Application. Returned funds that were initially programmed from the 70 percent cities/county portion of the fund estimate are credited back to the project sponsor's share.

As summarized below, the Expenditure Plan Application's estimated total amount available for projects is the sum of the new allocation (projected revenue), funds to reprogram, and earned interest, less 6.25 percent of the new allocation, which is reserved for the Alameda CTC's administration of the TFCA program. An additional \$829,425 unprogrammed balance from FY 2020-21 is included in the grand total available to projects.

FY 2021-22 Estimated New Allocation:	\$1,838,900
<u>Less 6.25% of new allocation for TFCA administration:</u>	<u>(- \$114,931)</u>
Estimated new allocation for projects:	\$1,723,969
Earned interest for calendar year 2020:	\$71,347
<u>Funds from closed projects to reprogram, as of 10/31/20:</u>	<u>\$417,000</u>
FY 2021-22 Total funding available for projects:	\$2,281,020
<u>Subtotal unprogrammed balance from prior year:</u>	<u>\$829,425</u>
Grand/Adjusted Total FY 2021-22 Available to Program:	\$3,041,741

FY 2021-22 Program Development

The Air District's TFCA CPM Policies require the Estimated New Allocation portion of the distributed revenue to be fully programmed on an annual basis. Any unprogrammed balance from the Estimated New Allocation remaining after the Air District's programming deadline may be redirected by the Air District to other projects in the region. The programming of TFCA funding is incorporated into the Alameda CTC's biennial Comprehensive Investment Plan (CIP) process when possible, but due to the annual programming deadline for these funds, releasing stand-alone TFCA calls for projects is periodically required. The FY 2021-22 TFCA revenue was included in the 2022 CIP Fund Estimate and applications were due February 1st. Staff will evaluate the proposed projects for TFCA eligibility and cost-effectiveness and include a FY 2021-22 TFCA program recommendation within the staff recommendation for the 2022 CIP, scheduled for consideration by the Commission in April or May 2020. If an unprogrammed TFCA balance remains when the 2022 CIP is adopted, a separate programming recommendation for the balance will be presented in the fall 2021 timeframe.

The Air District requires an approved program of TFCA projects to be submitted no later than six months from the date the Air District Board approves the TFCA CPM expenditure plan applications. This year, a complete FY 2021-22 TFCA program of projects is estimated to be due to the Air District by November 2021.

Next Steps

The Alameda CTC FY 2021-22 TFCA Expenditure Plan Application is to be signed by the Executive Director and is due to the Air District by March 3, 2021. A TFCA funding recommendation will be included in the 2022 CIP schedule for consideration April or May 2021.

Updated TFCA program guidelines, including the attached Air District FY 2021-22 TFCA Policies, fund estimate and funding recommendations, will be incorporated into the adopted Alameda CTC's 2022 CIP. A complete TFCA FY 2021-22 program of projects is due to the Air District by November 2021.

Fiscal Impact: This recommended action has no significant fiscal impact. TFCA funding is made available by the Air District and will be included in the Alameda CTC's FY 2021-22 budget.

Attachments:

- A. Alameda CTC Resolution 21-002
- B. Alameda CTC FY 2021-22 TFCA Expenditure Plan Application
- C. Alameda CTC Draft FY 2021-22 TFCA Fund Estimate
- D. Air District's FY 2021-22 TFCA County Program Manager Fund Policies

**Commission Chair**

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Councilmember Lori Droste

City of Dublin

Melissa Hernandez, Mayor

City of Fremont

Mayor Lily Mei

City of Hayward

Mayor Barbara Halliday

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Mayor Bob Woerner

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Councilmember Luis Freitas

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Councilmember Sheng Thao

City of Piedmont

Councilmember Jen Cavanaugh

City of Pleasanton

Mayor Karla Brown

City of Union City

Mayor Carol Dutra-Vernaci

Executive Director

Tess Lengyel

ALAMEDA COUNTY TRANSPORTATION COMMISSION**RESOLUTION 21-002**

**Approval of the Alameda County FY 2021-22
Transportation Fund for Clean Air County Program Manager Fund
Expenditure Plan Application**

WHEREAS, as of July 2010, the Alameda County Transportation Commission ("Alameda CTC") was designated as the overall Program Manager for the Transportation Fund for Clean Air ("TFCA") County Program Manager Fund for Alameda County;

WHEREAS, the TFCA Program requires the Program Manager to submit an Expenditure Plan Application for FY 2021-22 TFCA funding to the Bay Area Air Quality Management District ("Air District") by March 3, 2021.

NOW, THEREFORE BE IT RESOLVED, that the Alameda CTC Commission will program the estimated \$2,281,020 available to projects, consistent with the attached FY 2021-22 TFCA County Program Manager Fund Expenditure Plan Application;

BE IT FURTHER RESOLVED, the Alameda CTC Commission will approve a program of projects that includes at minimum the Estimated New Allocation of \$1,792,673 within six months of the Air District's approval of the FY2021-22 Expenditure Plan Application; and

BE IT FURTHER RESOLVED, the Alameda CTC Commission authorizes the Executive Director to execute any necessary fund transfer agreements related to this funding with the Air District and project sponsors.

DULY PASSED AND ADOPTED by the Alameda CTC at the regular Commission meeting held on Thursday, February 25, 2021 in Oakland, California, by the following vote:

AYES:**NOES:****ABSTAIN:****ABSENT:**

SIGNED:

ATTEST:

Pauline Russo Cutter
Chair, Alameda CTC

Vanessa Lee
Clerk of the Commission

TFCA FYE22 Expenditure Plan Application

Summary Information

County Program Manager (CPM) Agency : Alameda County Transportation Commission

Address: 1111 Broadway, Suite 800, Oakland, CA 94607

CPM to complete the yellow highlighted cells.

PART A: NEW TFCA FUNDS

		Project	Admin (default 6.25%)	Total (Project + Admin)
1. Estimated FYE 2022 DMV revenues (based on projected CY2020 revenues):	Line 1	\$1,723,969	\$ 114,931	\$ 1,838,900
2. Difference between prior-year estimate and actual revenue:	Line 2	\$64,410	\$4,294	\$68,704
a. Actual FYE 2020 DMV revenues (based on CY2019):	2a	\$1,921,223	\$ 128,082	\$ 2,049,304
b. Estimated FYE 2020 DMV revenues:	2b	\$1,856,813	\$ 123,788	\$ 1,980,600
<i>('a' minus 'b' equals Line 2.)</i>				
3. Estimated New Allocation (Sum of Lines 1 and 2) :	Line 3	\$1,792,673	\$119,225	\$1,907,604

PART B: INTEREST FOR PROGRAMMING AND TFCA FUNDS AVAILABLE FOR REPROGRAMMING

		Project	Admin	Total
4. Total available for programming/reprogramming to other projects.	Line 4	\$488,347	\$0	\$488,347
a. Amount available from previously funded projects (see Addendum, page 2) :	4a	\$417,000		
b. Admin expended in FYE 2020:	4b		\$128,081.51	
c. Interest income earned on TFCA funds in CY 2020:	4c	\$71,347		\$71,347
<i>(Project equals '4a' plus '4c' equals Line 4. Admin equals '2a' minus '4b'.)</i>				

PART C: TOTAL AVAILABLE TFCA FUNDS

		Project	Admin	Total
5. Total Available TFCA Funds (Sum of Lines 3 and 4)	Line 5	\$2,281,020	\$114,931	\$2,395,951

I certify that, to the best of my knowledge, the information contained in this application is complete and accurate.

Executive Director Signature

Date

[1] The "Estimated TFCA funds budgeted for administration" amount is listed for informational purposes only. Per California Health and Safety Code Section 44233, County Program Managers must limit their administrative costs to no more than 6.25% of the actual total revenue received from the Air District.

TFCA FYE22 Expenditure Plan Application

Summary Information - Addendum

TFCA funds programmed to projects with balances available for reprogramming

Index	Project #	Project Sponsor	Project Name	\$ TFCA Funds Allocated	\$ TFCA Funds Expended	\$ TFCA Funds Available	Code*
1.	18ALA01	Berkeley	Berkeley Citywide Bike Parking Program	\$180,000	\$0	\$180,000	CP
2.	19ALA05	Oakland	E. 12th St Bikeway	\$140,000	\$0	\$140,000	CP
3.	19ALA06	Oakland	Broadway Shuttle, FY 2019-20	\$338,000	\$253,500	\$84,500	UB
4.	19ALA07	CSUEB	CSU East Bay Campus to Hayward BART Shuttle, FYs 2018-19 & 2019-20	\$75,000	\$62,500	\$12,500	UB

TOTAL TFCA FUNDS AVAILABLE FOR REPROGRAMMING

\$417,000

(Enter this amount in Part B, Line 4.a. of Summary Information form)

** Enter UB (for projects that were completed under budget) or CP (for cancelled project).*

Alameda CTC TFCA County Program Manager Fund: FY 2021-22 Fund Estimate

				A	B	C	D	E (B-C+D)	F (A+E)
Agency	Population (Estimate ¹)	% Population	Total % of Funding	TFCA Funds Available (new this FY)	Balance from Previous FY	Programmed Last Cycle	Funds Available from Closed Projects	Rollover (Debits/ Credits)	TFCA Balance (New + Rollover)
Alameda	81,312	4.87%	4.86%	\$ 61,054	\$ (123,557)	\$ 22,549	\$ -	\$ (146,106)	\$ (85,053)
Alameda County	148,452	8.88%	8.87%	\$ 111,466	\$ 422,056	\$ 179,512	\$ -	\$ 242,544	\$ 354,010
Albany	18,937	1.13%	1.13%	\$ 14,219	\$ (8,664)	\$ 5,513	\$ -	\$ (14,177)	\$ 42
Berkeley	122,580	7.34%	7.32%	\$ 92,040	\$ 256,733	\$ 152,061	\$ 180,000	\$ 284,672	\$ 376,712
Dublin	65,716	3.93%	3.93%	\$ 49,343	\$ (732,642)	\$ 18,359	\$ -	\$ (751,000)	\$ (701,657)
Emeryville	12,298	0.74%	0.80%	\$ 10,000	\$ (181,705)	\$ 3,379	\$ -	\$ (185,084)	\$ (175,084)
Fremont	234,220	14.02%	13.99%	\$ 175,865	\$ 275,043	\$ 66,107	\$ -	\$ 208,937	\$ 384,802
Hayward	160,311	9.59%	9.58%	\$ 120,370	\$ 279,959	\$ 45,325	\$ -	\$ 234,634	\$ 355,004
Livermore	91,861	5.50%	5.49%	\$ 68,974	\$ 660,912	\$ 25,882	\$ -	\$ 635,030	\$ 704,004
Newark	48,966	2.93%	2.93%	\$ 36,766	\$ 511,601	\$ 13,848	\$ -	\$ 497,752	\$ 534,519
Oakland	433,697	25.96%	25.91%	\$ 325,644	\$ 94,461	\$ 525,069	\$ 224,500	\$ (206,108)	\$ 119,536
Piedmont	11,453	0.69%	0.80%	\$ 10,000	\$ 120,063	\$ 123,280	\$ -	\$ (3,216)	\$ 6,784
Pleasanton	79,464	4.76%	4.75%	\$ 59,666	\$ 128,195	\$ 22,883	\$ -	\$ 105,312	\$ 164,978
San Leandro	87,930	5.26%	5.25%	\$ 66,023	\$ 412,412	\$ 153,536	\$ -	\$ 258,875	\$ 324,898
Union City	73,637	4.41%	4.40%	\$ 55,291	\$ 217,859	\$ 21,298	\$ -	\$ 196,561	\$ 251,852
TOTAL 70% Cities/County:	1,670,834	100%	100%	\$ 1,256,721	\$ 2,332,726	\$ 1,378,600	\$ 404,500	\$ 1,358,626	\$ 2,615,347

FY 2021-22 TFCA New Revenue	\$ 1,838,900
<i>Less 6.25% for Program Administration</i>	<i>\$ (114,931)</i>
Subtotal New Programming Capacity	\$ 1,723,969
<i>Calendar Year 2020 Interest Earned</i>	<i>\$ 71,347</i>
Total New Programming Capacity	\$ 1,795,316

	Totals	Cities/County (Shares) 70%	Transit (Discretionary) 30%
Total New Programming Capacity	\$ 1,795,316	\$ 1,256,721	\$ 538,595
Funds Available from Closed Projects Adjustment	\$ 417,000	\$ 404,500	\$ 12,500
FY 2020-21 Rollover (debit/credit) Adjustment	\$ 829,425	\$ 954,126	\$ (124,701)
Total Adjustments ²	\$ 1,246,425	\$ 1,358,626	\$ (112,201)
Adjusted Total Available to Program	\$ 3,041,741	\$ 2,615,347	\$ 426,394

Notes:

1. Dept. of Finance (www.dof.ca.gov) population estimates as of 1/01/2020 (released May 2020).
2. Includes TFCA programming actions and returned funds from closed projects as of 10/31/20.

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Appendix D: Board-Adopted Policies for FYE 2022

Adopted November 18, 2020

The following Policies apply to the Bay Area Air Quality Management District's (Air District) Transportation Fund for Clean Air (TFCA) County Program Manager Fund for fiscal year ending (FYE) 2022.

BASIC ELIGIBILITY

1. **Reduction of Emissions:** Only projects that result in the reduction of motor vehicle emissions within the Air District's jurisdiction are eligible.

Projects must conform to the provisions of the California Health and Safety Code (HSC) sections 44220 et seq. and these Air District Board of Directors adopted TFCA County Program Manager Fund Policies.

Projects must achieve surplus emission reductions, i.e., reductions that are beyond what is required through regulations, ordinances, contracts, and other legally binding obligations at the time of the execution of a grant agreement between the County Program Manager and the grantee. Projects must also achieve surplus emission reductions at the time of an amendment to a grant agreement if the amendment modifies the project scope or extends the project completion deadline.

2. **TFCA Cost-Effectiveness:** Projects must not exceed the maximum cost-effectiveness (C-E) limit specified in Table 1. Cost-effectiveness (\$/weighted ton) is the ratio of TFCA funds awarded to the sum of surplus emissions reduced, during a project's operational period, of reactive organic gases (ROG), nitrogen oxides (NOx), and weighted PM10 (particulate matter 10 microns in diameter and smaller). All TFCA-generated funds (e.g., reprogrammed TFCA funds) that are awarded or applied to a project must be included in the evaluation. For projects that involve more than one independent component (e.g., more than one vehicle purchased, more than one shuttle route), each component must achieve this cost-effectiveness requirement.

County Program Manager administrative costs are excluded from the calculation of a project's TFCA cost-effectiveness.

Table 1: Maximum Cost-Effectiveness for TFCA County Program Manager Fund Projects

Policy No.	Project Category	Maximum C-E (\$/weighted ton)
22	Alternative Fuel Light- and Medium-Duty Vehicles	500,000
23	Reserved	Reserved
24	Alternative Fuel Heavy-Duty Trucks and Buses	500,000
25	On-Road Truck Replacements	90,000
26	Alternative Fuel Infrastructure	500,000
27	Ridesharing Projects – Existing	150,000
28	Shuttle/Feeder Bus Service – Existing	200,000; 250,000 for services in CARE Areas or PDAs

29.a.	Shuttle/Feeder Bus Service – Pilot shuttle projects not in CARE Areas or PDAs. <i>These projects will be evaluated every year.</i>	Year 1 - 500,000 Year 2 and beyond - see Policy #28 shuttle is considered existing
	Shuttle/Feeder Bus Service – Pilot shuttle projects located in Highly Impacted Communities as defined in the Air District CARE Program and/or a Planned or Potential PDA may receive TFCA Funds under the Pilot designation. <i>These projects will be evaluated every year.</i>	Years 1 & 2 - 500,000 Year 3 and beyond - see Policy #28 shuttle is considered existing
29.b.	Pilot Trip Reduction	500,000
30.a.	Bicycle Parking	250,000
30.b.	Bikeways	500,000
31	Bike Share	500,000
32	Arterial Management	250,000
33	Infrastructure Improvements for Trip Reduction	250,000
34	Telecommuting	150,000

3. **Eligible Projects and Case-by-Case Approval:** Eligible projects are those that conform to the provisions of the HSC section 44241, Air District Board-adopted policies, and Air District guidance. On a case-by-case basis, County Program Managers must receive approval by the Air District for projects that are authorized by the HSC section 44241 and achieve Board-adopted TFCA cost-effectiveness but do not fully meet other Board-adopted Policies.
4. **Consistent with Existing Plans and Programs:** All projects must comply with the Transportation Control and Mobile Source Control Measures included in the Air District's most recently approved strategies for achieving and maintaining State and national ozone standards ([2017 Clean Air Plan](#)), those plans and programs established pursuant to HSC sections 40233, 40717, and 40919; and, when specified, other adopted federal, State, regional, and local plans and programs.
5. **Eligible Recipients:** Grant recipients must be responsible for the implementation of the project, have the authority and capability to complete the project, and be an applicant in good standing with the Air District (Policies #8-10).
 - a. **Public agencies** are eligible to apply for all project categories.
 - b. **Non-public entities** are eligible to apply for only new alternative-fuel (light, medium, and heavy-duty) vehicle and infrastructure projects, and advanced technology demonstrations that are permitted pursuant to HSC section 44241(b)(7).
6. **Readiness:** Projects must commence by the end of calendar year 2022 or within 24 months from the date of execution of the funding agreement with the subgrantee. For purposes of this policy, “commence” means a tangible preparatory action taken in connection with the project’s operation or implementation, for which the grantee can provide documentation of the commencement date and action performed. “Commence” includes, but is not limited to, the issuance of a purchase order to secure project vehicles and equipment, commencement of shuttle/feeder bus and ridesharing service, or the delivery of the award letter for a construction contract.

7. **Maximum Two Years Operating Costs for Service-Based Projects:** Unless otherwise specified in policies #22 through #33, TFCA County Program Manager Funds may be used to support up to two years of operating costs for service-based projects (e.g., ridesharing, shuttle and feeder bus service). Grant applicants that seek TFCA funds for additional years must reapply for funding in the subsequent funding cycles.

APPLICANT IN GOOD STANDING

8. **Independent Air District Audit Findings and Determinations:** Grantees who have failed either the financial statement audit or the compliance audit for a prior TFCA-funded project awarded by either County Program Managers or the Air District are excluded from receiving an award of any TFCA funds for three (3) years from the date of the Air District's final audit determination in accordance with HSC section 44242 or for a duration determined by the Air District Air Pollution Control Officer (APCO). Existing TFCA funds already awarded to the project sponsor will not be released until all audit recommendations and remedies have been satisfactorily implemented. A failed financial statement audit means a final audit report that includes an uncorrected audit finding that confirms an ineligible expenditure of TFCA funds. A failed compliance audit means an uncorrected audit finding that confirms a program or project was not implemented in accordance with the applicable Funding Agreement or grant agreement.

A failed financial statement or compliance audit of the County Program Manager or its grantee may subject the County Program Manager to a reduction of future revenue in an amount equal to the amount which was inappropriately expended pursuant to the provisions of HSC section 44242(c)(3).

9. **Authorization for County Program Manager to Proceed:** Only a fully executed Funding Agreement (i.e., signed by both the Air District and the County Program Manager) constitutes the Air District's award of County Program Manager Funds. County Program Managers may incur costs (i.e., contractually obligate itself to allocate County Program Manager Funds) only after the Funding Agreement with the Air District has been executed.
10. **Maintain Appropriate Insurance:** Both the County Program Manager and each grantee must obtain and maintain general liability insurance, workers compensation insurance, and additional insurance as appropriate for specific projects, with required coverage amounts provided in Air District guidance and final amounts specified in the respective grant agreements.

INELIGIBLE PROJECTS

11. **Duplication:** Projects that have previously received any TFCA funds, e.g., TFCA Regional Funds or County Program Manager Funds, and that do not propose to achieve additional emission reductions are not eligible.
12. **Planning Activities:** The costs of preparing or conducting feasibility studies are not eligible. Planning activities are not eligible unless they are directly related to the implementation of a specific project or program.
13. **Reserved.**
14. **Cost of Developing Proposals and Grant Applications:** The costs to prepare proposals and/or grant applications are not eligible.

USE OF TFCA FUNDS

15. **Combined Funds:** TFCA County Program Manager Funds may not be combined with TFCA Regional Funds to fund a County Program Manager Fund project. Projects that are funded by the TFCA County Program Manager Fund are not eligible for additional funding from other funding sources that claim emissions reduction credits. However, County Program Manager-funded projects may be combined with funds that do not require emissions reductions for funding eligibility.

16. **Administrative Costs:** The County Program Manager may not expend more than 6.25 percent of its County Program Manager Funds for its administrative costs. The County Program Manager's costs to prepare and execute its Funding Agreement with the Air District are eligible administrative costs. Interest earned on County Program Manager Funds shall not be included in the calculation of the administrative costs. To be eligible for reimbursement, administrative costs must be clearly identified in the expenditure plan application and in the Funding Agreement, and must be reported to the Air District.
17. **Expend Funds within Two Years:** County Program Manager Funds must be expended within two (2) years of receipt of the first transfer of funds from the Air District to the County Program Manager in the applicable fiscal year, unless a County Program Manager has made the determination based on an application for funding that the eligible project will take longer than two years to implement. Additionally, a County Program Manager may, if it finds that significant progress has been made on a project, approve no more than two one-year schedule extensions for a project. Any subsequent schedule extensions for projects can only be given on a case-by-case basis, if the Air District finds that significant progress has been made on a project, and the Funding Agreement is amended to reflect the revised schedule.
18. **Unallocated Funds:** Pursuant to HSC 44241(f), any County Program Manager Funds that are not allocated to a project within six months of the Air District Board of Directors approval of the County Program Manager's Expenditure Plan may be allocated to eligible projects by the Air District. The Air District shall make reasonable effort to award these funds to eligible projects in the Air District within the same county from which the funds originated.
19. Reserved.
20. Reserved.
21. Reserved.

ELIGIBLE PROJECT CATEGORIES

Clean Air Vehicle Projects

22. Alternative Fuel Light- and Medium-Duty Vehicles:

These projects are intended to accelerate the deployment of zero- and partial-zero emissions motorcycles, cars, and light-duty vehicles. All of the following conditions must be met for a project to be eligible for TFCA funds:

- a. Vehicles must have a gross vehicle weight rating (GVWR) of 8,500 lbs. or lower;
- b. Vehicles may be purchased or leased;
- c. Eligible vehicle types include plug-in hybrid-electric, plug-in electric, fuel cell vehicles, and neighborhood electric vehicles (NEV) as defined in the California Vehicle Code. Vehicles must also be approved by the CARB;
- d. Vehicles that are solely powered by gasoline, diesel, or natural gas, and retrofit projects are not eligible;
- e. The total amount of TFCA funds awarded may not exceed 90% of the project's eligible cost; the sum of TFCA funds awarded with all other grants and applicable manufacturer and local/state/federal rebates and discounts may not exceed total project costs;
- f. Grantees may request authorization of up to 100% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle; and

- g. Projects that seek to replace a vehicle in the same weight-class as the proposed new vehicle may qualify for additional TFCA funding. Costs related to the scrapping and/or dismantling of the existing vehicle are not eligible for reimbursement with TFCA funds.

23. Reserved.

24. Alternative Fuel Heavy-Duty Trucks and Buses:

These projects are intended to accelerate the deployment of qualifying alternative fuel vehicles that operate within the Air District's jurisdiction by encouraging the replacement of older, compliant trucks and buses with the cleanest available technology. If replacing heavy-duty vehicles and buses with light-duty vehicles, light-duty vehicles must meet Policy #22. All of the following conditions must be met for a project to be eligible for TFCA Funds:

- a. Each vehicle must be new and have a GVWR greater than 8,500 lbs.;
- b. Vehicles may be purchased or leased;
- c. Eligible vehicle types include plug-in hybrid, plug-in electric, and fuel cell vehicles. Vehicles must also be approved by the CARB;
- d. Vehicles that are solely powered by gasoline, diesel, or natural gas and retrofit projects are not eligible;
- e. The total amount of TFCA funds awarded may not exceed 90% of the project's eligible cost; the sum of TFCA funds awarded with all other grants and applicable manufacturer and local/state/federal rebates and discounts may not exceed total project costs;
- f. Grantees may request authorization of up to 100% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle; and
- g. Projects that seek to replace a vehicle in the same weight-class as the proposed new vehicle may qualify for additional TFCA funding. Costs related to the scrapping and/or dismantling of the existing vehicle are not eligible for reimbursement with TFCA funds.

25. On-Road Truck Replacements: These projects will replace Class 6, Class 7, and Class 8 diesel-powered trucks that have a gross vehicle weight rating (GVWR) of 19,501 lbs. or greater (per vehicle weight classification definition used by Federal Highway Administration (FHWA) with new or used trucks that have an engine certified to the 2010 CARB emissions standards or cleaner. The existing truck(s) to be replaced must be registered with the California Department of Motor Vehicles (DMV) to an address within the Air District's jurisdiction and must be scrapped after replacement.

26. Alternative Fuel Infrastructure: These projects are intended to accelerate the adoption of zero-emissions vehicles through the deployment of alternative fuel infrastructure, i.e., electric vehicle charging sites, hydrogen fueling stations.

Eligible refueling infrastructure projects include new dispensing and charging facilities, or additional equipment or upgrades and improvements that expand access to existing alternative fuel fueling/charging sites. This includes upgrading or modifying private fueling/charging sites or stations to allow public and/or shared fleet access. TFCA funds may be used to cover the cost of equipment and installation. TFCA funds may also be used to upgrade infrastructure projects previously funded with TFCA funds as long as the equipment was maintained and has exceeded the duration of its useful life after being placed into service.

Equipment and infrastructure must be designed, installed, and maintained as required by the existing recognized codes and standards and as approved by the local/state authority.

TFCA funds may not be used to pay for fuel, electricity, operation, and maintenance costs.

Trip Reduction Projects

27. Existing Ridesharing Services: The project provides carpool, vanpool, or other rideshare services.

Projects that provide a direct or indirect financial transit or rideshare subsidy are also eligible under this category. Projects that provide a direct or indirect financial transit or rideshare subsidy *exclusively* to employees of the grantee are not eligible.

28. Existing Shuttle/Feeder Bus Service:

The project reduces single-occupancy vehicle trips by providing short-distance connections between mass transit and commercial hubs or employment centers. All the following conditions must be met for a project to be eligible for TFCA funds:

- a. The service must provide direct connections between a mass transit hub (e.g., a rail or Bus Rapid Transit (BRT) station, ferry or bus terminal, or airport) and a distinct commercial or employment location.
- b. The service's schedule, which is not limited to commute hours, must be coordinated to have a timely connection with corresponding mass transit service.
- c. The service must be available for use by all members of the public.
- d. TFCA funds may be used to fund only shuttle services to locations that are under-served and lack other comparable service. For the purposes of this policy, "comparable service" means that there exists, either currently or within the last three years, a direct, timed, and publicly accessible service that brings passengers to within one-third (1/3) mile of the proposed commercial or employment location from a mass transit hub. A proposed service will not be deemed "comparable" to an existing service if the passengers' proposed travel time will be at least 15 minutes shorter and at least 33% shorter than the existing service's travel time to the proposed destination.
- e. Reserved.
- f. Grantees must be either: (1) a public transit agency or transit district that directly operates the shuttle/feeder bus service; or (2) a city, county, or any other public agency.
- g. Applicants must submit a letter of concurrence from all transit districts or transit agencies that provide service in the area of the proposed route, certifying that the service does not conflict with existing service.
- h. Each route must meet the cost-effectiveness requirement in Policy #2. Projects that would operate in Highly Impacted Communities or Episodic Areas as defined in the Air District Community Air Risk Evaluation (CARE) Program, or in Priority Development Areas (PDAs), may qualify for funding at a higher cost-effectiveness limit (see Policy #2).

29. Pilot Projects:

a. Pilot Shuttle/Feeder Bus Service:

The project provides new shuttle/feeder bus service that is at least 70% unique and operates where no other service was provided within the past three years. In addition to meeting the conditions listed in Policy #28 for shuttle/feeder bus service, project applicants must also comply with the following application criteria and agree to comply with the project implementation requirements:

- i. Demonstrate the project will reduce single-occupancy vehicle trips and result in a reduction in emissions of criteria pollutants.

- ii. Provide data and/or other evidence demonstrating the public's need for the service, such as a demand assessment survey and letters of support from potential users.
- iii. Provide a written plan showing how the service will be financed in the future and require minimal, if any, TFCA funds to maintain its operation after the pilot period.
- iv. If the local transit provider is not a partner, the applicant must demonstrate that they have attempted to have the service provided by the local transit agency. The transit provider must have been given the first right of refusal and determined that the proposed project does not conflict with existing service;
- v. Projects located in Highly Impacted Communities as defined in the Air District CARE Program and/or a Planned or Potential PDA may receive a maximum of two years of TFCA County Program Manager Funds under the Pilot designation. For these projects, the project applicants understand and must agree that such projects will be evaluated every year, and continued funding will be contingent upon the projects meeting the following requirements:
 - 1. During the first year and by the end of the second year of operation, projects must not exceed a cost-effectiveness of \$500,000/ton
 - 2. Projects entering a third year of operation and beyond are subject to all of the requirements, including cost-effectiveness limit, of Policy #28 (existing shuttles).
- vi. Projects located outside of CARE areas and PDAs may receive a maximum of two years of TFCA County Program Manager Funds under this designation. For these projects, the project applicant understands and must agree that such projects will be evaluated every year, and continued funding will be contingent upon the projects meeting the following requirements:
 - 1. By the end of the first year of operation, projects shall meet a cost-effectiveness of \$500,000/ton, and
 - 2. By the end of the second year of operation, projects shall meet all of the requirements, including cost-effectiveness limit, of Policy #28 (existing shuttles).

b. Pilot Trip Reduction:

The project reduces single-occupancy commute vehicle trips by encouraging mode-shift to other forms of shared transportation. Pilot projects are defined as projects that serve an area where no similar service was available within the past three years, or that will result in significantly expanded service to an existing area. Funding is designed to provide the necessary initial capital to a public agency for the start-up of a pilot project so that by the end of the third year of the trip reduction project's operation, the project will be financially self-sustaining or require minimal public funds, such as grants, to maintain its operation.

- i. Applicants must demonstrate the project will reduce single-occupancy commute vehicle trips and result in a reduction in emissions of criteria pollutants;
- ii. The proposed service must be available for use by all members of the public;
- iii. Applicants must provide a written plan showing how the service will be financed in the future and require minimal, if any, TFCA funds to maintain its operation by the end of the third year;
- iv. If the local transit provider is not a partner, the applicant must demonstrate that they have attempted to have the service provided by the local transit agency. The

transit provider must have been given the first right of refusal and determined that the proposed project does not conflict with existing service;

- v. Applicants must provide data and any other evidence demonstrating the public's need for the service, such as a demand assessment survey and letters of support from potential users;
- vi. Pilot trip reduction projects that propose to provide ridesharing service projects must comply with all applicable requirements in policy #27.

30. **Bicycle Projects:**

These projects expand public access to bicycle facilities. New bicycle facility projects or upgrades to an existing bicycle facility that are included in an adopted countywide bicycle plan, Congestion Management Program (CMP), countywide transportation plan (CTP), city plan, or the Metropolitan Transportation Commission's (MTC) Regional Bicycle Plan are eligible to receive TFCA funds. Projects that are included in an adopted city general plan or area-specific plan must specify that the purpose of the bicycle facility is to reduce motor vehicle emissions or traffic congestion.

a. **Bicycle Parking:**

The project expands the public's access to new bicycle parking facilities (e.g., electronic bicycle lockers, bicycle racks), which must be publicly accessible and available for use by all members of the public. Eligible projects are limited to the purchase and installation of the following types of bike parking facilities that result in motor vehicle emission reductions:

- i. Bicycle racks, including bicycle racks on transit buses, trains, shuttle vehicles, and ferry vessels;
- ii. Electronic bicycle lockers; and
- iii. Capital costs for attended bicycle storage facilities.

b. **Bikeways:**

The project constructs and/or installs bikeways for the purpose of reducing motor vehicle emissions or traffic congestion. Bikeways for exclusively recreational use are ineligible. Projects are limited to the following types of bikeways:

- i. Class I Bikeway (bike path), new or upgrade improvement from Class II or Class III bikeway;
- ii. New Class II Bikeway (bike lane);
- iii. New Class III Bikeway (bike route); and
- iv. Class IV Bikeway (separated bikeway), new or upgrade improvement from Class II or Class III bikeway.

All bikeway projects must, where applicable, be consistent with design standards published in the California Highway Design Manual or conform to the provisions of the Protected Bikeway Act of 2014. Projects must have completed all applicable environmental reviews and either have been deemed exempt by the lead agency or have been issued the applicable negative declaration or environmental impact report or statement.

31. **Bike Share:**

Projects that make bicycles available to individuals for shared use for completing first- and last-mile trips in conjunction with regional transit and stand-alone short distance trips are eligible for TFCA funds, subject to all the following conditions:

- a. Projects must either increase the fleet size of existing service areas or expand existing service areas to include new Bay Area communities.
- b. Projects must have a completed and approved environmental plan and a suitability study demonstrating the viability of bicycle sharing.
- c. Projects must have shared membership and/or be interoperable with the Bay Area Bike Share (BABS) project when they are placed into service, in order to streamline transit for end users by reducing the number of separate operators that would comprise bike trips. Projects that meet one or more of the following conditions are exempt from this requirement:
 - i. Projects that do not require membership or any fees for use;
 - ii. Projects that were provided funding under MTC's Bike Share Capital Program to start a new or expand an existing bike share program; or
 - iii. Projects that attempted to coordinate with, but were refused by, the current BABS operator to have shared membership or be interoperable with BABS. Applicants must provide documentation showing proof of refusal.

TFCA funds may be awarded to pay for up to five years of operations, including the purchase of two-wheeled or three-wheeled vehicles (self-propelled or electric), plus mounted equipment required for the intended service and helmets.

32. Arterial Management:

Arterial management grant applications must identify a specific arterial segment and define what improvement(s) will be made to affect traffic flow on the identified arterial segment. Projects that provide routine maintenance (e.g., responding to citizen complaints about malfunctioning signal equipment) are not eligible to receive TFCA funds. Incident management projects on arterials are eligible to receive TFCA funds. Transit improvement projects include, but are not limited to, bus rapid transit and transit priority projects. Signal timing projects are eligible to receive TFCA funds. Each arterial segment must meet the cost-effectiveness requirement in Policy #2.

33. Infrastructure Improvements for Trip Reduction:

The project expands the public's access to alternative transportation modes through the design and construction of physical improvements that support development projects that achieve motor vehicle emission reductions.

- a. The development project and the physical improvement must be identified in an approved area-specific plan, redevelopment plan, general plan, bicycle plan, pedestrian plan, traffic-calming plan, or other similar plan.
- b. The project must implement one or more transportation control measures (TCMs) in the most recently adopted Air District plan for State and national ambient air quality standards. Pedestrian projects are eligible to receive TFCA funds.
- c. The project must have a completed and approved environmental plan. If a project is exempt from preparing an environmental plan as determined by the public agency or lead agency, then that project has met this requirement.

34. Telecommuting: Implementation of demonstration projects in telecommuting. No funds expended pursuant to this paragraph for telecommuting projects shall be used for the purchase of personal computing equipment for an individual's home use.

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Memorandum

6.4

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: February 18, 2021

TO: Alameda County Transportation Commission

FROM: Gary Husingh, Deputy Executive Director of Projects
Vivek Bhat, Director of Programming and Project Controls
Jhay Delos Reyes, Project Manager

SUBJECT: Approve actions necessary to facilitate project advancement into the Preliminary Engineering / Environmental phase for the State Route 262 (Mission Blvd) Cross Connector Project – Phase 1

Recommendation

It is recommended that the Commission approve the following actions related to the State Route 262 (Mission Blvd) Cross Connector Project Phase-1 (Project):

1. Approve Resolution 21-001 and Regional Measure 3 Initial Project Report (RM3-IPR) (Attachment A) to request Metropolitan Transportation Commission (MTC) allocation of \$10 million RM3 funds for the Preliminary Engineering/Environmental (PE/Env) phase through a Letter of No Prejudice (LONP);
2. Release a Request for Proposals (RFP) for professional services for the PE/Env Phase;
3. Authorize the Executive Director or designee to negotiate with the top ranked firm; and
4. Authorize the Executive Director or designee to enter into all necessary agreements including a Cooperative Agreement with the California Department of Transportation (Caltrans).

Summary

The Alameda County Transportation Commission (Alameda CTC) is the Implementing Agency of the SR- 262 (Mission Blvd) Cross Connector Project Phase-1 (Project) in cooperation with the project Sponsor, the City of Fremont (City). The Project proposes improvements along SR 262 to improve operations and safety for travel between Interstate 680 (I-680) and Interstate 880 (I-880). The Project is currently in the scoping phase and the Project initiation Document (PID) is anticipated to be complete by Fall 2021. The recommended funding actions are necessary to facilitate project advancement into the Environmental phase.

Background

Alameda CTC is the Implementing Agency of the SR-262 (Mission Blvd) Cross Connector project (Project) in cooperation with the project Sponsor, the City of Fremont (City). The project aims to reduce congestion and improve traffic flow for the local and regional transportation network in the vicinity of SR-262.

SR-262 is the most traveled I-680 to I-880 east-west corridor and is located in Fremont and serves as a vital goods movement route, main access point to transit and local business and the gateway connection to Silicon Valley. Recurring congestion along SR-262 impacts operations along both I-680 and I-880, divides the Warm Springs community and results in cut-through traffic through residential streets.

Alameda CTC is currently working on the PID which is anticipated to be complete by Fall 2021. Due to the footprint and associated cost of the developed alternatives, the PID describes implementing a phased approach to deliver key safety and operational improvements along SR 262 for a reduced dollar value. Phase 1 focuses on implementing the following features: Grade separating Warm Springs Boulevard and Mohave Drive from SR 262, modifying the SR-262 Interchange and constructing Frontage Roads between Warm Springs Boulevard and Mohave Drive. The total cost of Phase 1 is currently estimated at \$437 million. Future phases described in the PID are the Express Lane Direct Connectors that connect the I-680 Express Lanes to the I-880 Express Lanes through the SR 262 corridor.

The Project is currently in the scoping phase and a RFP for professional services for the PE/Env phase is scheduled to be released in late February 2021, with a negotiated contract anticipated in Fall 2021. Completing the environmental document is a necessary step towards advancing the project and increasing its competitiveness for various external funding sources that will be needed to complete the funding plan, including potential federal, state, regional and local sources. The RFP will focus on delivering Phase 1 of the Project, consistent with Plan Bay Area 2050.

Regional Measure 3 (RM3) Program and LONP Request

The Project is a named project in the RM3 program (RM3 Project No. 29), with a total RM3 commitment of \$15 million. RM3 was approved by voters in the nine county San Francisco Bay Area in June 2018. RM3 provides \$4.45 billion in transportation funding, with an estimated \$1 billion eligible for Alameda County projects. The measure includes a plan to build projects that support better goods movement and economic development, highway and express lane improvements, major transit investments in operations and capital projects, and active transportation, funded by an increase in bridge tolls on all Bay Area toll bridges except the Golden Gate Bridge.

RM3 is currently under litigation and collected revenue is being held in an escrow account. No allocations of RM3 funds are anticipated until and unless litigation is resolved in favor of RM3. In December 2019, MTC adopted the RM3 Policies and Procedures that

included a process to advance “named” RM3 projects through a LONP process. Under an RM3 LONP, a project sponsor would obtain MTC Commission approval to move forward with a specific scope of work, using non-RM3 funds, and retain RM3 eligibility for that scope. If and when RM3 litigation is resolved and the MTC Commission can make RM3 allocations, the project sponsor would be able to receive an allocation for that scope of work, and be reimbursed with RM3 funds. The project sponsor would proceed with an LONP at their own risk; if RM3 funds do not become available for allocation, there is no expectation that MTC will provide alternate funds. The LONP process is intended only for “named” capital projects that will deliver a usable segment (e.g., complete construction phase, final design, environmental document, etc.).

The 2014 Measure BB Transportation Expenditure Plan (TEP) identifies funds for I-880 Local Access and Safety Improvements (TEP-40). In the event RM3 funds are not made available, external grants and/or TEP-40 MBB funds will be proposed towards the Project. Staff will bring this item back for Commission consideration, with an alternative funding plan that could be made up from local funds and/or other grant funds.

Staff is recommending approval of the following actions necessary to facilitate project advancement into the construction phase:

1. Approve Resolution 21-001 and RM3-IPR to request MTC allocation of \$10 million RM3 funds for the PE/Env phase through a LONP;
2. Release an RFP for professional services for the PE/Env Phase;
3. Authorize the Executive Director or designee to negotiate with the top ranked firm; and
4. Authorize the Executive Director or designee to enter into all necessary agreements including a Cooperative Agreement with Caltrans.

Next Steps

Upon Commission approval of the item, the RM3 LONP and accompanying Resolution 21-001 will be transmitted to MTC for approval and an RFP for professional services for the PE/Env phase will be released.

Fiscal Impact: The action will authorize the allocation of \$10 million of RM3 funds for subsequent expenditure. This amount will be committed to the project funding plan, and sufficient budget will be included in the proposed Alameda CTC FY 2021-22 Capital Program Budget.

Attachments:

- A. Resolution 21-001 and RM3 Initial Project Report
- B. Project Fact Sheet

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ALAMEDA COUNTY TRANSPORTATION COMMISSION

Resolution No. 21-001

RM3 Implementing Agency Resolution of Project Compliance Letter of No Prejudice Request

Implementing Agency: Alameda County Transportation Commission
Project Title: Interstate 680/Interstate 880/Route 262 Freeway Connector

WHEREAS, SB 595 (Chapter 650, Statutes 2017), commonly referred as Regional Measure 3, identified projects eligible to receive funding under the Regional Measure 3 Expenditure Plan; and

WHEREAS, the Metropolitan Transportation Commission (MTC) is responsible for funding projects eligible for Regional Measure 3 funds, pursuant to Streets and Highways Code Section 30914.7(a) and (c); and

WHEREAS, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for Regional Measure 3 funding; and

WHEREAS, Letter of No Prejudice (LONP) requests to MTC must be submitted consistent with procedures and conditions as outlined in Regional Measure 3 Policies and Procedures (MTC Resolution No. 4404); and

WHEREAS, Alameda County Transportation Commission (Alameda CTC) is an eligible sponsor of transportation project(s) in the Regional Measure 3 Expenditure Plan; and

WHEREAS, the Interstate 680/Interstate 880/Route 262 Freeway Connector is eligible for consideration in the Regional Measure 3 Expenditure Plan, as identified in California Streets and Highways Code Section 30914.7(a); and

WHEREAS, the Regional Measure 3 LONP request, attached hereto in the Initial Project Report and LONP Request Form, and incorporated herein as though set forth at length, lists the project, purpose, schedule, budget, expenditure and cash flow plan for which

Alameda CTC is requesting that MTC issue an LONP for Regional Measure 3 funds; now, therefore, be it

RESOLVED, that Alameda CTC, and its agents shall comply with the provisions of the Metropolitan Transportation Commission's Regional Measure 3 Policies and Procedures; and be it further

RESOLVED, that Alameda CTC will fund the scope of work covered under the LONP with Alameda CTC Local Measure funds; and be it further

RESOLVED, that Alameda CTC proceeds with this scope of work at-risk, in the event that RM3 funds do not become available for allocation; and be it further

RESOLVED, that Alameda CTC will only be eligible for reimbursement for this scope of work from RM3 funds following an allocation by MTC, for expenses incurred following the date of the LONP approval; and be it further

RESOLVED, that Alameda CTC certifies that the project is consistent with the Regional Transportation Plan (RTP); and be it further

RESOLVED, that the year of funding for any design, right-of-way and/or construction phases has taken into consideration the time necessary to obtain environmental clearance and permitting approval for the project; and be it further

RESOLVED, that the Regional Measure 3 phase or segment is fully funded, and results in an operable and useable segment; and be it further

RESOLVED, that Alameda CTC approves the LONP request and updated Initial Project Report, attached to this resolution; and be it further

RESOLVED, that Alameda CTC approves the cash flow plan, attached to this resolution; and be it further

RESOLVED, that Alameda CTC has reviewed the project needs and has adequate staffing resources to deliver and complete the project within the schedule set forth in the LONP request and updated Initial Project Report, attached to this resolution; and, be it further

RESOLVED, that Alameda CTC is an eligible sponsor of projects in the Regional Measure 3 Expenditure Plan, in accordance with California Streets and Highways Code 30914.7(a); and be it further

RESOLVED, that Alameda CTC is authorized to submit an application for an LONP request for Regional Measure 3 funds for (project name) in accordance with California Streets and Highways Code 30914.7(a); and be it further

RESOLVED, that Alameda CTC certifies that the projects and purposes for which RM3 funds are being requested is in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and with the State Environmental Impact

Report Guidelines (14 California Code of Regulations Section 15000 et seq.) and if relevant the National Environmental Policy Act (NEPA), 42 USC Section 4-1 et. seq. and the applicable regulations thereunder; and be it further

RESOLVED, that there is no legal impediment to Alameda CTC making LONP requests for Regional Measure 3 funds; and be it further

RESOLVED, that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of Alameda CTC to deliver such project; and be it further

RESOLVED, that Alameda CTC shall indemnify and hold harmless MTC, its Commissioners, representatives, agents, and employees from and against all claims, injury, suits, demands, liability, losses, damages, and expenses, whether direct or indirect (including any and all costs and expenses in connection therewith), incurred by reason of any act or failure to act of Alameda CTC, its officers, employees or agents, or subcontractors or any of them in connection with its performance of services under this allocation of RM3 funds. Alameda CTC agrees at its own cost, expense, and risk, to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against MTC, BATA, and their Commissioners, officers, agents, and employees, or any of them, arising out of such act or omission, and to pay and satisfy any resulting judgments. In addition to any other remedy authorized by law, so much of the funding due under any future allocation of RM3 funds to this scope as shall reasonably be considered necessary by MTC may be retained until disposition has been made of any claim for damages, and be it further

RESOLVED, that Alameda CTC shall, if any revenues or profits from any non-governmental use of property (or project) that those revenues or profits shall be used exclusively for the public transportation services for which the project was initially approved, either for capital improvements or maintenance and operational costs, otherwise the Metropolitan Transportation Commission is entitled to a proportionate share equal to MTC's percentage participation in the projects(s); and be it further

RESOLVED, that assets purchased with RM3 funds including facilities and equipment shall be used for the public transportation uses intended, and should said facilities and equipment cease to be operated or maintained for their intended public transportation purposes for its useful life, that the Metropolitan Transportation Commission (MTC) shall be entitled to a present day value refund or credit (at MTC's option) based on MTC's share of the Fair Market Value of the said facilities and equipment at the time the public transportation uses ceased, which shall be paid back to MTC in the same proportion that Regional Measure 3 funds were originally used; and be it further

RESOLVED, that following an allocation of RM3 funds for this scope of work Alameda CTC shall post on both ends of the construction site(s) at least two signs visible to the public stating that the Project is funded with Regional Measure 3 Toll Revenues; and be it further

RESOLVED, that Alameda CTC authorizes its Executive Director or his/her designee to execute and submit an LONP request for the environmental phase with MTC for Regional Measure

RESOLVED, that the Executive Director or his/her designee is hereby delegated the authority to make non-substantive changes or minor amendments to the LONP request or IPR as he/she deems appropriate.

NOW, THEREFORE BE IT RESOLVED, that the Alameda CTC approves the RM3 LONP Request and Subproject IPR, as detailed in Exhibit A

AYES: **NOES:** **ABSTAIN:** **ABSENT:**

SIGNED: _____ **ATTEST:** _____

Chair, Alameda CTC

Clerk of the Commission



Regional Measure 3

LONP Request

SB 595 Project Information

Project Number	29
Project Title	Interstate 680/Interstate 880/Route 262 Freeway Connector
Project Funding Amount	\$15,000,000

Subproject Information

Subproject Number	29.1
Subproject Title	State Route 262 (Mission Boulevard) Cross Connector Project Phase 1
Subproject Funding Amount	\$10,000,000

I. RM3 LONP Request Information

Describe the scope of the deliverable phase requested for LONP. Provide background and other details as necessary.

State Route 262 (Mission Boulevard) Cross Connector Project – Phase 1 located in the City of Fremont (City), proposes improvements along SR 262 to improve operations and safety for travel between Interstate 680 and Interstate 880. The improvements for Phase 1 include Grade Separating Warm Springs Boulevard and Mohave Drive from SR 262, modifying the SR-262 Interchange and constructing Frontage Roads between Warm Springs Boulevard and Mohave Drive.

The proposed Project would reduce congestion and improve east-west regional connectivity between Interstate 680 (I 680) and Interstate 880 (I-880) within the SR-262 Mission Boulevard. The Project area experiences high levels of congestion primarily due to heavy cross freeway-to-freeway traffic between I-680 and I-880. The heaviest commute directions between the freeways occur from the Tri-Valley to Silicon Valley during the morning commute and are reversed during the evening commute. The recurring congestion in the City lasts for the morning and evening hours for approximately 7 hours and 8 hours respectively. The resulting operations affects the signalized intersections at SR 262/Warm Spring Boulevard, and SR 262/Mohave Drive and the SR 262/I-680 Interchange.

SR-262 Improvements

For all alternatives, SR-262/Mission Boulevard would be widened, and grade separated from Mohave Drive and Warm Springs Boulevard. Local access would be maintained either by means of one-way frontage roads or ramp connections to Mohave Drive and/or Warm Springs Boulevard. Bike and pedestrian connectivity would be maintained along Mission Boulevard through bike lanes and sidewalks. The bike lanes would connect to the existing bike lanes on Warm Springs Boulevard, and Mission Boulevard east of I-680. Improvements along this corridor would require removing or reconstructing roadway features, including retaining walls, curbs and sidewalks, drainage structures, highway signage, and lighting, and traffic signals. Right-of-way would need to be acquired adjacent to SR-262.

The existing Kato Road and SR-262/I-880 interchange ramp configurations would be retained. No changes would be made to the existing UPRR and BART underpass structures at SR-262, except to remove abutment slope paving and shift approach retaining walls to accommodate a wider roadway cross section.

I-680/SR-262 Interchange Improvements

The SR-262/I-680 interchange would be reconfigured to improve operations and facilitate construction of the SR-262 improvements. The current cloverleaf loop ramps and collector-distributor roads would be replaced with a modified "Type L" configuration comprising a diamond interchange with signalized intersections, while retaining one loop ramp. All on-ramps would be widened to provide for HOV bypass lanes and ramp metering. In addition, the ramp terminals would be reconfigured to follow current best practices to accommodate bike and pedestrian movements. No structure work is proposed on the I-680 separation at SR-262, except to retain the abutment slope paving to enable widening of Mission Boulevard. Additional structure widening would be required at the East Warren Avenue and South Grimmer Boulevard Undercrossings to accommodate NB auxiliary lanes.

Project phase being requested	PA/ED
RM3 funding amount planned for this phase	\$10,000,000
Substitute funding source (if multiple, list amounts)	N/A
Are there other fund sources involved in this phase?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Date of anticipated Implementing Agency Board approval of RM3 IPR resolution for the allocation being requested	2/25/2021

Note: LONP requests are recommended to be submitted to MTC staff for review sixty (60) days prior to action by the Implementing Agency Board

Describe your plan for fully funding this project in the case that RM3 funding is not made available. This includes funding through construction if the LONP request is for an earlier phase.

The 2014 Measure BB Transportation Expenditure Plan (TEP) identifies funds for I-880 Local Access Improvements Alameda County. With the limited MBB funds available, Alameda CTC has developed a strategic investment plan to invest these funds for a suite of projects along I-880. In the event RM3

funds are not made available, MBB funds intended for these projects would have to be reprioritized and repurposed towards the SR-262 (Mission Boulevard) Cross Connector Project – Phase 1.

List any other planned bridge toll allocation requests in the next 12 months

\$80 million, LONP request for CON phase of I-680 Southbound Express Lanes from Alcosta Boulevard to SR-84, July 2021



Regional Measure 3

Initial Project Report

Subproject Details

SB 595 Project Information

Project Number	29
Project Title	Interstate 680/Interstate 880/Route 262 Freeway Connector
Project Funding Amount	\$15,000,000

Subproject Information

Subproject Number	1
Subproject Title	State Route 262 (Mission Boulevard) Cross Connector Project
Subproject Funding Amount	\$10,000,000

I. Overall Subproject Information

a. Subproject Sponsor / Co-sponsor(s) / Implementing Agency

City of Fremont – Project Sponsor

Alameda County Transportation Commission – Implementing Agency

b. Detailed Subproject Description *(include definition of deliverable segment if different from subproject)*

State Route 262 (Mission Boulevard) Cross Connector Project – Phase 1 located in the City of Fremont (City), proposes improvements along SR 262 to improve operations and safety for travel between Interstate 680 and Interstate 880. The improvements for Phase 1 include Grade Separating Warm Springs Boulevard and Mohave Drive from SR 262, modifying the SR-262 Interchange and constructing Frontage Roads between Warm Springs Boulevard and Mohave Drive.

The proposed Project would reduce congestion and improve east-west regional connectivity between Interstate 680 (I 680) and Interstate 880 (I-880) within the SR-262 Mission Boulevard. The Project area experiences high levels of congestion primarily due to heavy cross freeway-to-freeway traffic between I-680 and I-880. The heaviest commute directions between the freeways occur from the Tri-Valley to Silicon Valley during the morning commute and are reversed during the evening commute. The recurring congestion in the City lasts for the morning and evening hours for approximately 7 hours and 8 hours respectively. The resulting operations affects the signalized intersections at SR 262/Warm Spring Boulevard, and SR 262/Mohave Drive and the SR 262/I-680 Interchange.



SR-262 Improvements

For all alternatives, SR-262/Mission Boulevard would be widened, and grade separated from Mohave Drive and Warm Springs Boulevard. Local access would be maintained either by means of one-way frontage roads or ramp connections to Mohave Drive and/or Warm Springs Boulevard. Bike and pedestrian connectivity would be maintained along Mission Boulevard through bike lanes and sidewalks. The bike lanes would connect to the existing bike lanes on Warm Springs Boulevard, and Mission Boulevard east of I-680. Improvements along this corridor would require removing or reconstructing roadway features, including retaining walls, curbs and sidewalks, drainage structures, highway signage, and lighting, and traffic signals. Right-of-way would need to be acquired adjacent to SR-262.

The existing Kato Road and SR-262/I-880 interchange ramp configurations would be retained. No changes would be made to the existing UPRR and BART underpass structures at SR-262, except to remove abutment slope paving and shift approach retaining walls to accommodate a wider roadway cross section.

I-680/SR-262 Interchange Improvements

The SR-262/I-680 interchange would be reconfigured to improve operations and facilitate construction of the SR-262 improvements. The current cloverleaf loop ramps and collector-distributor roads would be replaced with a modified "Type L" configuration comprising a diamond interchange with signalized intersections, while retaining one loop ramp. All on-ramps would be widened to provide for HOV bypass lanes and ramp metering. In addition, the ramp terminals would be reconfigured to follow current best practices to accommodate bike and pedestrian movements. No structure work is proposed on the I-680 separation at SR-262, except to retain the abutment slope paving to enable widening of Mission Boulevard. Additional structure widening would be required at the East Warren Avenue and South Grimmer Boulevard Undercrossings to accommodate NB auxiliary lanes.

c. Impediments to Subproject Completion

Impediments for the PA/ED include, possible opposition to the Project during the EIR Scoping Meeting, Draft Environmental Document and Final Environmental Document circulation. New connections along I-680 based on the traffic analysis would require a Determination of Engineering and Operational Acceptability from FHWA. The current Project footprint and proposed alternatives may affect sites of Archeological and Paleontological interest that could delay schedule or potentially affect the alignment. Coordination with other agencies affected such as Alameda County Flood Control District, US Fish and Wildlife Services may also affect the design of the Project.

d. Risk Management *(describe risk management process for project budget and schedule, levels of contingency and how they were determined, and risk assessment tools used)*

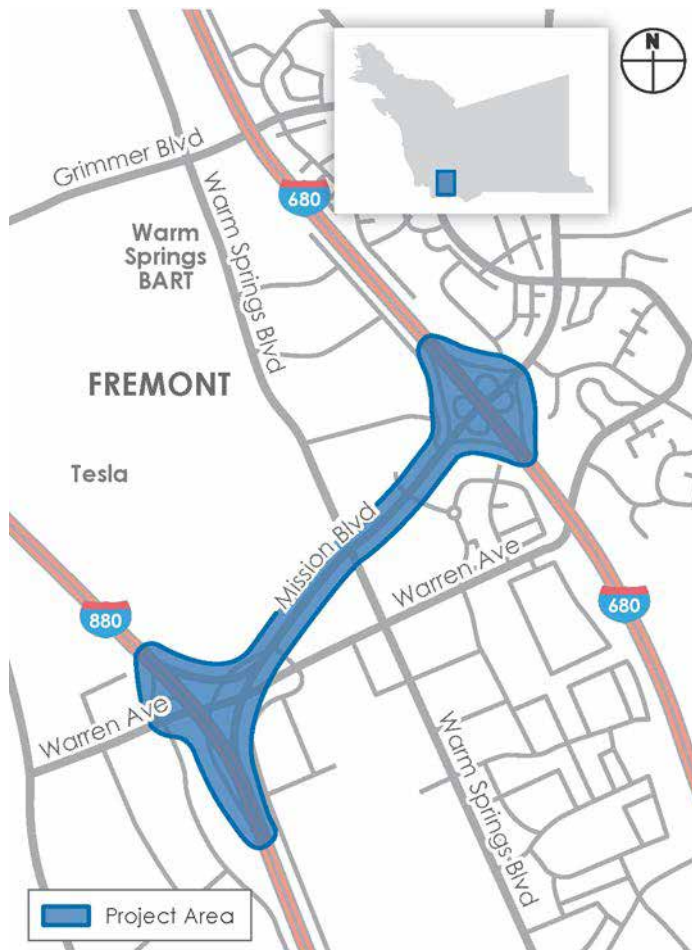
A Risk Register was developed as part of the Project Initiation Document phase in accordance with Caltrans requirements. Project Contingencies were developed as part of the Project Costs in accordance with the Caltrans Project Development Procedures Manual cost estimating guidelines for the PID phase.

e. Operability *(describe entities responsible for operating and maintaining project once completed/implemented)*



State Route 262 is currently owned and maintained by the California Department of Transportation. The proposed facilities will remain as part of the State Highway System owned and maintained by Caltrans.

f. **Project Graphic(s)** (include below or attach)



II. Subproject Phase Description and Status

a. **Environmental/Planning**

Does NEPA apply? Yes ☒ No ☐

The PID-Planning phase will be complete in August 2021. The funds requested are for the PA/ED – Environmental Phase and is anticipated to be 42 months. The anticipated Environmental Document is an EIR/EA based on the PEAR.

b. **Design**

This phase would begin subsequent to the Environmental Phase but dependent upon funding. The Project Sponsor will actively seek opportunities to fully fund the Design phase as it will need to be a combination of the remaining RM3 funds and other sources such as Alameda County Measure BB Sales Tax, SB1 or other Federal opportunities in the future.



c. Right-of-Way Activities / Acquisition

Right-of-Way Activities/Acquisition would run parallel to design as this Project would be reviewed and cleared through Caltrans. This phase along with design is dependent upon funding.

d. Construction / Vehicle Acquisition / Operating

The beginning of the Construction Phase is contingent upon funding and completion of the Design and securing the required Right-of-Way.

III. Subproject Schedule

Phase-Milestone	Planned	
	Start Date	Completion Date
Environmental Studies, Preliminary Eng. (ENV / PE / PA&ED)	October 2021	April 2025
Final Design - Plans, Specs. & Estimates (PS&E)	September 2024	June 2027
Right-of-Way Activities /Acquisition (R/W)	June 2025	June 2027
Construction (Begin – Open for Use) / Acquisition (CON)	June 2027	June 2031

IV. Subproject Budget

Capital Subproject Budget	Total Amount - Escalated to Year of Expenditure (YOE)- (Thousands)
Environmental Studies & Preliminary Eng (ENV / PE / PA&ED)	\$10,000,000
Design - Plans, Specifications and Estimates (PS&E)	\$25,000,000
Right-of-Way Activities /Acquisition (R/W)	\$100,000,000
Construction / Rolling Stock Acquisition (CON)	\$302,000,000
Total Project Budget (in thousands)	\$437,000,000

Deliverable Segment Budget (if different from subproject budget)	Total Amount - Escalated to Year of Expenditure (YOE)- (Thousands)



Regional Measure 3 Initial Project Report

Environmental Studies & Preliminary Eng (ENV / PE / PA&ED)	
Design - Plans, Specifications and Estimates (PS&E)	
Right-of-Way Activities /Acquisition (R/W)	
Construction / Rolling Stock Acquisition (CON)	
Total Project Budget (in thousands)	

Operating	Total Amount - Escalated to Year of Expenditure (YOE)- (Thousands)
Annual Operating Budget	N/A

V. Subproject Funding

Additional funds are needed for the following phases:

- Design
- Right-of-Way/Acquisition
- Construction

The Project Sponsor in coordination with Project partners, Alameda CTC and Caltrans will continue to coordinate to find opportunities to fund those phases of the Project.

VI. Contact/Preparation Information

Contact for Project Sponsor

Name: Vivek Bhat

Title: Director of Programming and Project Controls

Phone: 510-208-7430

Email: vbhat@alamedactc.org

Mailing Address: 1111 Broadway Suite 800, Oakland, CA 94607

Person Preparing Initial Project Report (if different from above)

Name: Jhay Delos Reyes

Title: Senior Transportation Engineer

Phone: (510) 208-7469

Email: jdelosreyes@alamedactc.org

Mailing Address: 1111 Broadway Suite 800, Oakland, CA 94607

Regional Measure 3
Intitial Project Report - Subproject Report
Funding Plan

Project Title:	Interestate 680/Interstate 880/Route 262 Freeway Connector	
Subproject Title	State Route 262 (Mission Boulevard) Cross Connector Project	
Project/Subproject Number:	29.1	
Total RM3 Funding:	\$	15,000,000

(add rows as necessary)

CAPITAL FUNDING

Funding Source	Phase	Committed? (Yes/No)	Total Amount (\$ thousands)	Amount Expended (\$ thousands)	Amount Remaining (\$ thousands)
Regional Measure 3	ENV	No	\$ 10,000,000	\$ -	\$ 10,000,000
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
ENV Subtotal			\$ 10,000,000	\$ -	\$ 10,000,000
Regional Measure 3	PSE	No	\$ 5,000,000	\$ -	\$ 5,000,000
Alameda CTC Sales Tax		No	\$ 5,500,000		\$ 5,500,000
TBD		No	\$ 14,500,000		\$ 14,500,000
					\$ -
					\$ -
					\$ -
PSE Subtotal			\$ 25,000,000	\$ -	\$ 25,000,000
Future Funds TBD	ROW		\$ 100,000,000		\$ 100,000,000
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
ROW Subtotal			\$ 100,000,000	\$ -	\$ 100,000,000
Future Funds	CON		\$ 302,000,000		\$ 302,000,000
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
CON Subtotal			\$ 302,000,000	\$ -	\$ 302,000,000
Capital Funding Total			\$ 437,000,000	\$ -	\$ 437,000,000

OPERATING FUNDING (Annual)

Funding Source	Phase	Committed? (Yes/No)	Total Amount (\$ thousands)
	Operating		
Operating Funding Total			\$ -

Regional Measure 3
Initial Project Report - Subproject Report
Funding Plan - Deliverable Segment - Fully funded phase or segment of total project

Project Title:	Interstate 680/Interstate 880/Route 262 Freeway Connector
Subproject Title	State Route 262 (Mission Boulevard) Cross Connector Project
Project/Subproject Number:	29.1
Total RM3 Funding:	\$ 15,000,000

(add rows as necessary)

RM3 Deliverable Segment Funding Plan - Funding by planned year of allocation

Funding Source	Phase	Prior	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	Future committed	Total Amount (\$ thousands)	Amount Expended (\$ thousands)	Amount Remaining (\$ thousands)
RM-3	ENV				\$ 10,000,000								\$ 10,000,000		\$ 10,000,000
													\$ -		\$ -
													\$ -		\$ -
													\$ -		\$ -
													\$ -		\$ -
													\$ -		\$ -
ENV Subtotal		\$ -	\$ -	\$ -	\$ 10,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000	\$ -	\$ 10,000,000
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PSE Subtotal		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
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													\$ -		\$ -
CON Subtotal		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
RM-3 Funding Subtotal		\$ -	\$ -	\$ -	\$ 10,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000	\$ -	\$ 10,000,000
Capital Funding Total		\$ -	\$ -	\$ -	\$ 10,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000	\$ -	\$ 10,000,000

Regional Measure 3
Initial Project Report - Subproject Report
Cash Flow Plan

Project Title:	Interstate 680/Interstate 880/Route 262 Freeway Connector
Subproject Title	State Route 262 (Mission Boulevard) Cross Connector Project
Project/Subproject Number:	29.1
Total RM3 Funding:	\$ 15,000,000

(add rows as necessary)

RM3 Cash Flow Plan for Deliverable Segment - Funding by planned year of expenditure

Funding Source	Phase	Prior	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	Future committed	Total Amount (\$ thousands)
RM 3	ENV				\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 1,000,000					\$ 10,000,000
													\$ -
													\$ -
													\$ -
													\$ -
													\$ -
ENV Subtotal		\$ -	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000
RM 3	PSE												\$ -
													\$ -
													\$ -
													\$ -
													\$ -
													\$ -
PSE Subtotal		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
RM 3	ROW												\$ -
													\$ -
													\$ -
													\$ -
													\$ -
													\$ -
ROW Subtotal		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
RM 3	CON												\$ -
													\$ -
													\$ -
													\$ -
													\$ -
													\$ -
													\$ -
													\$ -
													\$ -
CON Subtotal		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
RM 3 Funding Subtotal		\$ -	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000
Capital Funding Total		\$ -	\$ -	\$ -	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -	\$ 10,000,000

Regional Measure 3
Initial Project Report - Subproject Report
Estimated Budget Plan

Project Title:	Interstate 680/Interstate 880/Route 262 Freeway Connector
Subproject Title	State Route 262 (Mission Boulevard) Cross Connector Project
Project/Subproject Number:	29.1
Total RM3 Funding:	\$ 15,000,000

1. Direct Labor of Implementing Agency (specify by name and job function)			
	Estimated Hours	Rate/Hour	Total Estimated cost
Senior Transportation Engineer	2050	70	\$ 143,500
Director of Project Delivery	400	95	\$ 38,000
Deputy Executive Director Projects	100	115	\$ 11,500
			\$ -
			\$ -
			\$ -
Direct Labor Subtotal			\$ 193,000
2. Overhead and direct benefits (specify)			
	Rate	x Base	
Alameda CTC Overhead & Fringe Benefits	3.35	\$ 480,725	
Alameda CTC Overhead & Fringe Benefits	3.35	\$ 127,300	
Alameda CTC Overhead & Fringe Benefits	3.35	\$ 38,525	
		0	
		0	
		0	
Overhead and Benefit Subtotal			\$ 646,550
3. Direct Capital Costs (include engineer's estimate on construction, right-of-way, or vehicle acquisition)			
	Unit (if applicable)	Cost per unit	Total Estimated cost
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
Direct Capital Costs Subtotal			\$ -
4. Consultants (Identify purpose and/or consultant)			
			Total Estimated cost
PE/Env Consultant (Project Report, Env Doc)			\$ 9,000,000
PE/Env Legal Consultant			\$ 10,000
Constultants Subtotal			\$ 9,010,000
5. Other direct costs			
			Total Estimated cost
Permits			\$ 100,000
Facilities for Outreach			\$ 40,000
Advertisements for Outreach			\$ 7,500
Other Direct Costs Subtotal			\$ 147,500
Total Estimated Costs			\$ 9,997,050

Comments:

PROJECT OVERVIEW

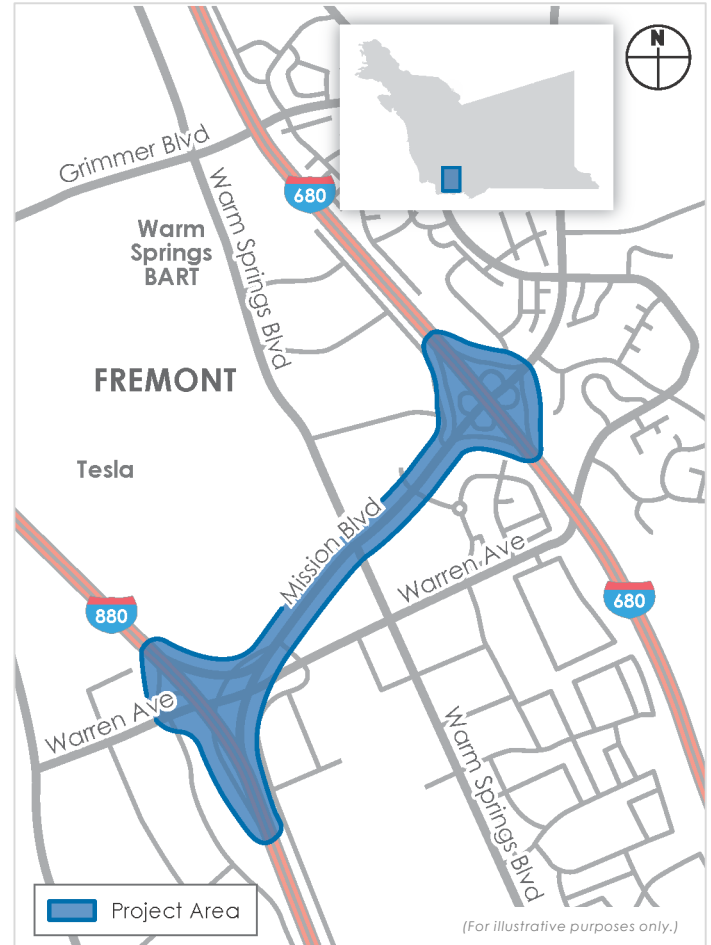
The Alameda County Transportation Commission (Alameda CTC) is working to develop Project Initiation Document Phase alternatives for the State Route 262 (SR- 262) Cross Connector project, a heavily traveled east-west corridor located in the City of Fremont (City). The project aims to reduce congestion and improve traffic flow for the local and regional transportation network in the vicinity of SR-262/Mission Boulevard.

Alternative solutions will be developed to improve east-west regional connectivity traveling between Interstate 680 (I-680) and Interstate 880 (I-880) in Southern Alameda County. The alternatives are intended to encourage mode shift from single-occupancy vehicles to increase vehicle occupancy and person through-put by promoting multimodal components through the corridor.

SR-262 is a vital east-west facility in the City. It serves as a predominant gateway to and from Silicon Valley and as access to major economic employment centers and transportation facilities (e.g. Tesla and Warm Springs BART station, respectively). Alameda CTC, in cooperation with the City, Caltrans, and other local and regional partners, is also looking at funding and financing options to deliver the best alternative solution.

PROJECT BENEFITS

- Improves traffic operation
- Reduces traffic congestion
- Enhances local/regional economic vitality
- Improves safety



PROJECT NEED

- SR-262 is a major east-west connector between I-880 and I-680 that experiences the most daily commute and commercial vehicle trips.
- Existing travel demand and operational deficiencies cause recurring traffic congestion on SR-262 and adjoining I-680 and I-880 freeways throughout the day on weekdays and weekends.
- Congestion adversely affects local circulation, inhibits access to local land uses, and results in undesirable use of local neighborhood streets as cut-through routes for regional traffic.
- Vehicle delay and restricted mobility impact the economic vitality of the local community and the region as a whole.



Eastbound SR-262 at the I-680 southbound on-ramp.



Westbound congestion along SR-262 during the afternoon commute.



Westbound and eastbound traffic on SR-262 in Fremont.

STATUS

Implementing Agency: Alameda CTC

Current Phase: Scoping

- Project scoping work began in spring 2018.

PARTNERS AND STAKEHOLDERS

California Department of Transportation, Alameda CTC and the City of Fremont

Note: Information on this fact sheet is subject to periodic updates.

COST ESTIMATE BY PHASE (\$ X 1,000)

Planning/Scoping	\$2,000
PE/Environmental	\$20,000
Final Design (PS&E)	\$40,000
Right-of-Way	\$30,000
Construction	\$908,000
Total Expenditures	\$1,000,000

Note: Costs reflect a direct connector alternative, based on 2018 dollars; subject to update based on the Project Study Report.

FUNDING SOURCES (\$ X 1,000)

Measure BB	\$9,000
Federal	TBD
State	TBD
Regional Measure 3	\$15,000
Local	TBD
TBD	\$976,000
Total Revenues	\$1,000,000

SCHEDULE BY PHASE

	Begin	End
Scoping	Spring 2018	Late 2021
Preliminary Engineering/ Environmental	TBD	TBD
Final Design	TBD	TBD
Right-of-Way	TBD	TBD
Construction	TBD	TBD

Note: Schedule subsequent to the scoping phase subject to change based on availability of funding and selection of a preferred alternative.



Memorandum

6.5

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: February 18, 2021

TO: Alameda County Transportation Commission

FROM: Gary Husingh, Deputy Executive Director of Projects
Vivek Bhat, Director of Programming and Project Controls

SUBJECT: Approve actions necessary to facilitate project advancement into the construction phase for the I-680 Southbound Express Lanes from SR-84 to Alcosta Boulevard Project

Recommendation

It is recommended the Commission approve the following actions related to the I-680 Southbound Express Lanes from SR-84 to Alcosta Boulevard Project (Project):

1. Approve a 2020 State Transportation Improvement Program (STIP) amendment request to program up to \$40 million STIP funds for the Construction phase of the Project, including approval of Resolution 21-003, a resolution of local support for the requested STIP funding;
2. Approve submitting an Assembly Bill 3090 (AB 3090) request to the California Transportation Commission (CTC) for up to \$40 million STIP funds for the Construction phase of the Project;
3. Allocate \$7 million of unencumbered 2014 Measure BB I-680 HOT/HOV Lane from SR-237 to Alcosta funds (TEP-35; CIP ID 0251) from the I-680 Sunol Express Lanes -Phase 1, for the Right of Way phase of the Project;
4. Allocate \$15 million of unencumbered 2014 Measure BB I-680 HOT/HOV Lane from SR-237 to Alcosta funds (TEP-35; CIP ID 0251) from the I-680 Sunol Express Lanes-Phase 1, for the construction of Electronic Tolling System of the Project;
5. Approve release of a Request for Proposals (RFP) for professional services for Toll System Integrator, and authorize the Executive Director or designee to negotiate with the top ranked firms;
6. Authorize the Executive Director or designee to execute all necessary agreements for the delivery of the Right of Way Phase and Electronic Tolling System Construction phase related tasks of the Project.

Summary

The Alameda County Transportation Commission (Alameda CTC) is the project sponsor and implementing agency of the I-680 Southbound Express Lanes from SR-84 to Alcosta Boulevard project. The Project is currently in the Design phase and scheduled to go into construction by fall 2021.

The delivery of the I-680 Southbound Express Lane is currently being coordinated with an upcoming Caltrans pavement rehabilitation project along the same section of I-680. Coordination of these two projects will lead to a significant cost savings of approximately \$18 million and, more importantly, will minimize inconvenience and reduce impacts to the traveling public during the many months of construction in an already very congested corridor.

The current estimated total cost of the project is \$259 million, from inception to completion of construction. The project is currently funded by a combination State, Regional and Local funds. At the June 2020 meeting, the Commission approved a conceptual funding plan to address the \$142 million funding shortfall of the Project. As requested by the Commission, staff will provide updates on project funding plan and activities.

As often is the case for any agency investing in the state highway system, the State has many rigorous requirements including the sponsor's commitment to identify a full funding plan for the project development and construction of the project and enter into multiple cooperative agreements with Caltrans. In order to address Caltrans' requirements and to advance the project into the construction phase, staff is recommending several Commission actions to address this funding gap.

Background

The Alameda CTC is the project sponsor and implementing agency of the I-680 Southbound Express Lanes from SR-84 to Alcosta Boulevard project, which passes through the community of Sunol and the cities of Dublin and Pleasanton. The Project includes reconstruction of the concrete median barrier, construction of retaining walls, relocation of existing sound walls, and pavement widening and reconstruction to accommodate the addition of 9-miles of southbound HOV/EL from SR-84 to Alcosta Boulevard. Tolling equipment, including vehicle sensors, toll readers, rear-facing cameras, enforcement beacons, and utility cabinets will also be installed. The project includes HOV/EL signage, including larger signs mounted on cantilevered overhead sign structures spanning the HOV/EL, and smaller signs mounted on the concrete median barrier. The larger signs will include Variable Toll Message Signs (VTMS) to display the prices for using the express lane facility.

Anticipated benefits of the southbound project include improved efficiency of the transportation system on southbound I-680 between SR-84 and Alcosta Boulevard to accommodate the current and future traffic demand, improved travel time and travel reliability for all users, including HOV and transit users, and optimization of freeway system

management and traffic operations. When this project is complete, it will close a gap in the southbound HOV/EL along I-680, by connecting the I-680 Sunol Express Lanes, operated by Alameda CTC, with the Bay Area Infrastructure Finance Authority's (BAIFA) I-680 HOV/EL in Contra Costa County, resulting in a 48-mile long I-680 southbound express lane network from Marina Vista Boulevard in Martinez (in Contra Costa County) to SR-237 in Milpitas (in Santa Clara County). This will relieve congestion on two of MTC's ten most congested freeway segments, and will provide benefits such as significantly relieving congestion and improving regional and interregional traffic. This will allow for increased people-throughput by providing infrastructure for express buses and carpools and optimize freeway system management and traffic operations.

In early 2019, staff learned that Caltrans had begun the final design of a major project to rehabilitate the pavement along I-680 from SR-84 to Alcosta Boulevard. This Caltrans project is programmed to be funded with the State Highway Operation and Protection Program (SHOPP) funds and was scheduled to start construction in fall 2020. Alameda CTC staff approached Caltrans to discuss combining the Caltrans project with Alameda CTC's I-680 Express Lane Project. Caltrans was receptive to combining the southbound portion of their SHOPP project with Alameda CTC's I-680 Southbound Express Lane Project. Combining the two projects required Caltrans to delay the construction of their project by one year, and Alameda CTC to expedite delivery of the I-680 Southbound Express Lanes from SR-84 to Alcosta Boulevard Project by one year. Staff has prepared an expedited schedule to meet this deadline, including advancing the design of the southbound Project, with the 95% design phase anticipated to be complete in March 2021.

The current estimated total cost of the project is \$259 million, from inception to completion of construction. The funding plan currently includes \$27 million of 2014 Measure BB, \$80 million of Regional Measure 3 (RM3) and \$10 million of MTC's share of Senate Bill 1 (SB1) Local Partnership Program (LPP) formula funds. At the June 2020 meeting, the Commission approved a conceptual funding plan to address the \$142 million funding shortfall of the Project. The funding strategy included earmarking \$40 million of future STIP funds and \$12 million of Alameda CTC's share of SB-1 LPP funds towards the Construction phase of the Project.

In December 2020, the Alameda CTC successfully secured \$25 million of SB-1 LPP Competitive funds through a discretionary grant application submitted to the CTC. Staff continues to pursue external grants to address this shortfall.

As often is the case for any agency investing in the state highway system, the State has many rigorous requirements including the sponsor's commitment to identify a full funding plan for the project development and construction of the project and enter into multiple cooperative agreements with Caltrans. In order to address Caltrans' requirements and to advance the project into the construction phase, staff is recommending several Commission actions to address this funding gap.

2020 STIP Amendment and AB 3090

The STIP is a multi-year capital improvement program of transportation projects on and off the State Highway System that is administered by the CTC and funded with revenues from the State Highway Account and other State and federal funding sources, including SB1 funding.

Alameda CTC's 2020 STIP program of projects was adopted by the Commission in October 2019 and included the I-680 SB Express lanes Project as a "contingency" project. At the June 2020 meeting, the Commission approved prioritizing funding \$40 million from the next two STIP cycles (2022 STIP and 2024 STIP), towards the construction phase of the Project. In order to access future STIP funds, the Project would need to be formally amended into the 2020 STIP and approved by the MTC and the CTC. Alameda CTC staff has been working closely with MTC and CTC staff on this effort. CTC staff has clarified that the STIP amendment, requested amount (\$40 million) and the timing of availability of STIP funds will be subject to the available programming/revenue capacity in the current STIP. A confirmation from CTC is anticipated at the latest by June 2021.

In addition to the STIP amendment request and approval of Alameda CTC Resolution 21-003 (Attachment B), staff also recommends Commission approval to submit an AB 3090 request to use local funds in lieu of future STIP funds. The 2020 STIP covers Fiscal Years (FYs) 2020-21 through 2024-25. In a scenario where any STIP funds are made available in the outer years of the STIP (beyond FY 2021-22), AB 3090 allows a local agency to advance projects included in the STIP to an earlier FY through the use of its own funds. It places a cash-flow burden on the local agency since reimbursement by the STIP funds is typically spread equally over three years.

Staff will update the Commission regarding the availability, amount and timing of the STIP funds and other related actions in July 2021.

2014 Measure BB I-680 HOT/HOV Lane from SR-237 to Alcosta (TEP-35) funds

On October 29, 2020, Alameda CTC in partnership with Caltrans completed construction of the I-680 NB Sunol Express Lanes project and opened nine miles of a new HOV/express lane in the northbound direction along I-680 through the City of Fremont and Sunol, between Auto Mall Parkway and SR-84. The I-680 NB Sunol Express Lanes project funding plan included \$30 million 2014 Measure BB TEP-35 funds. Current project reconciliation indicate approximately \$22 million of these funds are unencumbered contingency funds and can be made available for the I-680 SB Express Lanes Project.

Staff recommends following actions related to the repurposing of unencumbered TEP-35 Measure BB funds:

- i. Allocate \$7 million unencumbered TEP-35 Measure BB funds for the Right of Way phase of the Project. Right of Way phase activities will include temporary construction easements, utility service connections and mitigation requirements. No

right-of-way acquisition is anticipated since the project improvements fit within existing Caltrans right of way.

- ii. Allocate \$15 million unencumbered TEP-35 Measure BB funds towards the implementation of a new toll system which requires the services of a Toll System Integrator (TSI) and System Manager. A TSI provides very specialized services for toll system design, software development, equipment procurement and installation, testing, and opening the express lanes for revenue service. Only upon completion of system testing during live operations, is the toll system implementation considered complete.
- iii. Approve release of a RFP for professional services for Toll System Integrator, and authorize the Executive Director or designee to negotiate with the top ranked firms;
- iv. Authorize the Executive Director or designee to execute all necessary agreements for the delivery of the Right of Way Phase and Electronic Tolling System Construction phase related tasks of the Project.

Next Steps

Staff continues to pursue other Federal, State and Regional Grant opportunities to cover the funding shortfall. Based on Alameda CTC's Strategic planning principles approved by the Commission in March 2020, staff has embarked on an investment strategy to ensure that Measure BB funds are used to expediate the delivery of projects while also serving as the basis to attract external competitive funding to Alameda County such as RM3, SB1 programs, and U.S. Department of Transportation (USDOT) competitive programs.

On September, 2020, Alameda CTC submitted a grant application for the SB1 LPP discretionary funds, and successfully secured \$25 million. Staff also intends to pursue the 2021 Infrastructure for Rebuilding America (INFRA) and Better Utilizing Investments to Leverage Development discretionary grant program funds in spring. Alameda CTC has already successfully secured \$90 million Regional funds through the RM3 Express Lanes grant program and MTC's SB1 LPP formula funds for this project.

Based on the outcomes of the STIP amendment request and Grant funding opportunities, staff will bring this item back to the Commission for an update and other related actions in July 2021.

Fiscal Impact: The action will authorize the allocation of \$22 million of TEP-35 Measure BB funds previously allocated to the I-680 Sunol Northbound Express Lanes-Phase 1 project to the I-680 SB Express Lane Project for subsequent obligation and expenditure. This amount will be included in the appropriate project funding plan and Alameda CTC's FY2021-22 Capital Program Budget.

Attachments:

- A. I-680 Express Lanes from SR-84 to Alcosta Boulevard Project Fact Sheet
- B. Resolution 21-003, Resolution of Local Support to MTC

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I-680 Southbound Express Lane (Phase 1) from SR-84 to Alcosta Boulevard

6.5A

JANUARY 27, 2021

PROJECT OVERVIEW

The Interstate 680 (I-680) Express Lanes from State Route (SR) 84 to Alcosta Boulevard project will close the gap between existing and in-progress high-occupancy vehicle (HOV)/express lane projects directly to the north and south. The project extends for approximately nine miles along I-680 through Sunol, Pleasanton, Dublin and San Ramon.

Design and construction of this project is being rolled out in two phases—southbound (Phase 1) and northbound (Phase 2). Environmental and preliminary engineering studies are complete. Phase 1 final design work was initiated in February 2020.

Concurrent projects in the area include:

- [SR 84 Widening \(Pigeon Pass to I-680\) and SR 84/I-680 Interchange Improvements](#)
- [I-680 Sunol Express Lanes \(Phase 1\)](#)

PROJECT NEED

- Planned and existing express lanes from SR-84 to SR-237 and from Alcosta Boulevard to Walnut Creek will leave a nine-mile gap in the express lane network between SR-84 and Alcosta Boulevard.
- Heavy commute traffic to and from Silicon Valley, especially in the morning peak period, results in traffic congestion for approximately 10 hours each day.



PROJECT BENEFITS

- Increases the efficiency of the transportation system on I-680 between SR-84 and Alcosta Boulevard to accommodate current and future traffic demand
- Improves travel time and travel reliability for all users, including HOV and transit users
- Optimizes freeway system management and traffic operations



I-680 northbound approaching the Calaveras Road off-ramp.



I-680 northbound approaching the SR-84 off-ramp in Sunol.

STATUS

Implementing Agency: Alameda CTC

Current Phase: Plans, Specifications and Estimate (PS&E) for Phase 1.

Project Study Report-Project Delivery Support (PSR-PDS) was approved in September 2018.

Project Report and Environmental Document were approved in November 2020.

PARTNERS AND STAKEHOLDERS

California Department of Transportation, Alameda CTC, the Federal Highway Administration, Alameda County, Contra Costa County, the community of Sunol and the cities of Dublin, Pleasanton and San Ramon

COST ESTIMATE BY PHASE (\$ X 1,000)

Planning/Scoping	\$1,000
PE/Environmental	\$6,000
Final Design (PS&E)	\$20,000
Right-of-Way	\$7,000
Construction	\$225,000
Total Cost Estimate	\$259,000

FUNDING SOURCES (\$ X 1,000)

Measure BB	\$27,000
Other Local	\$10,000
State (STIP and SB 1) ¹	\$77,000
Regional	\$80,000
TBD	\$65,000
Total Revenues	\$259,000

¹State Transportation Improvement Program (STIP); Senate Bill 1 (SB 1).

SCHEDULE BY PHASE

	Begin	End
Scoping (PSR-PDS)	Fall 2017	Fall 2018
Preliminary Engineering/ Environmental (PE-ENV)	Fall 2018	Fall 2020
Final Design	Spring 2020	Fall 2021
Right-of-Way	Spring 2020	Fall 2021
Construction	Spring 2022	Late 2024

Note: Information on this fact sheet is subject to periodic updates.



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ALAMEDA COUNTY TRANSPORTATION COMMISSION

Resolution No. 21-003

Resolution of Local Support for I-680 Southbound Express Lanes from SR-84 to Alcosta Boulevard Project

**Authorizing the filing of an application for funding assigned to MTC and
committing any necessary matching funds and stating assurance to
complete the project**

WHEREAS, Alameda County Transportation Commission (Alameda CTC) (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for up to \$40 million in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Block Grant Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the I-680 Southbound Express Lanes from SR-84 to Alcosta Boulevard Project (herein referred to as PROJECT) for the 2020 RTIP (herein referred to as PROGRAM); and

WHEREAS, the United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the FEDERAL TRANSPORTATION ACT) including, but not limited to the Surface Transportation Block Grant Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives (TA) set-aside (23 U.S.C. § 133); and

WHEREAS, state statutes, including California Streets and Highways Code § 182.6, § 182.7, and § 2381(a)(1), and California Government Code § 14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to the FEDERAL TRANSPORTATION ACT, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, as part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- the commitment of any required matching funds; and
- that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
- that the PROJECT will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the PROJECT as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- that the PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and
- that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM; and
- that APPLICANT has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and
- in the case of a transit project, the PROJECT will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and
- in the case of a highway project, the PROJECT will comply with MTC Resolution No. 4104, which sets forth MTC's Traffic Operations System (TOS) Policy to install and activate TOS elements on new major freeway projects; and
- in the case of an RTIP project, state law requires PROJECT be included in a local

congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and

WHEREAS, that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

WHEREAS, there is no legal impediment to APPLICANT making applications for the funds; and

WHEREAS, there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and

WHEREAS, APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and

WHEREAS, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

NOW, THEREFORE, BE IT RESOLVED that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under the FEDERAL TRANSPORTATION ACT or continued funding; and be it further

RESOLVED that APPLICANT will provide any required matching funds; and be it further

RESOLVED that APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and be it further

RESOLVED that APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and be it further

RESOLVED that PROJECT will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it further

RESOLVED that APPLICANT has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application;

and be it further

RESOLVED that PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and be it further

RESOLVED that, in the case of a transit project, APPLICANT agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised; and be it further

RESOLVED that, in the case of a highway project, APPLICANT agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104; and be it further

RESOLVED that, in the case of an RTIP project, PROJECT is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and be it further

RESOLVED that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it further

RESOLVED that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be it further

RESOLVED that there is no legal impediment to APPLICANT making applications for the funds; and be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

RESOLVED that APPLICANT authorizes its Executive Director or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED that the MTC is requested to support the application for the PROJECT described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

DULY PASSED AND ADOPTED by the Alameda CTC Commission at the regular Commission meeting held on Thursday, February 25, 2021 in Oakland, California, by the following vote:

ABSENT:

ATTEST:

Vanessa Lee
Clerk of the Commission

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Memorandum

6.6

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: February 18, 2021

TO: Alameda County Transportation Commission

FROM: Liz Rutman, Director of Express Lanes Implementation and Operations

SUBJECT: Approve Amendment No. 4 to Agreement A16-0075 with HNTB Corporation for the I-680 Sunol Express Lanes Project for System Manager services

Recommendation

It is recommended that the Commission approve and authorize the Executive Director to execute Amendment No. 4 to Agreement A16-0075 with HTNB Corporation (HNTB) for an additional amount of \$920,000 for a total not-to-exceed amount of \$2,445,000, and a six-month time extension to December 31, 2022, to complete System Manager services for the I-680 Sunol Express Lanes Project (PN 1369000).

Summary

Alameda CTC is the project sponsor for the Interstate 680 (I-680) Sunol Express Lanes Project (Phase 1) that is nearing the completion of construction. The project will provide a 9-mile Express Lane segment on northbound I-680 between south of Auto Mall Parkway and SR 84 and convert the existing southbound controlled-access express lane to an open-access facility between SR 84 and SR 262. A new toll system will be deployed for both directions of travel with new technology that will allow for implementation of all adopted toll policies.

In July 2016, HNTB was selected through a competitive process to provide System Manager Services for the I-680 Sunol Express Lanes Project and as-needed operational support for Alameda CTC's operations of the I-580 Express Lanes and I-680 Sunol Southbound Express Lane. The Agreement was subsequently amended in 2018 to add additional scope, budget, and time of completion, and twice administratively amended to modify terms and conditions related to personally identifiable information and insurance.

Additional oversight of the Toll System Integrator (TSI) is needed for the I-680 Sunol Express Lanes project due to the additional toll system requirements Alameda CTC has added to that scope of work, and additional budget is needed to accommodate delays and performance issues by the TSI to date. A 6-month time extension is recommended to ensure System Manager Services are provided for the I-680 Sunol Express Lanes Project through the operational testing and contract close-out, due to ongoing toll system development delays.

Authorization of Amendment No. 4 to Professional Services Agreement No. A16-0075 with HNTB for an additional amount of \$920,000 for a total not-to-exceed amount of \$2,445,000, and a 6-month time extension to December 31, 2022, will provide the resources and time necessary to provide System Manager Services for the I-680 Sunol Express Lanes project implementation. A summary of all contract actions related to Agreement No. A16-0075 is provided in Table A.

Background

Alameda CTC is the project sponsor for the Interstate 680 (I-680) Sunol Express Lanes Project (Phase 1) that is nearing the completion of construction. The project has constructed a 9-mile Express Lane segment on northbound I-680 between south of Auto Mall Parkway and SR 84 and converted the existing southbound controlled-access express lane to an open-access facility between SR 84 and SR 262. A necessary step in the transition of the southbound express lane to the new toll system is the removal of the original I-680 Sunol Southbound Express Lane toll system infrastructure that has been in operation since 2010. With Caltrans concurrence, beginning August 10, 2020, the I-680 Sunol Southbound Express Lane ceased revenue operations and began operating in HOV ONLY mode, meaning they are open for use by only carpools with two (2) or more persons, vanpools, motorcycles, transit, and qualified clean air vehicles during the operating hours of 5 am – 8 pm, Monday – Friday, and open to all users during all other hours. On October 29, 2020, the new northbound express lane was opened for use, also in HOV ONLY mode, while construction and toll system development activities are completed. At this time, the new toll system is not yet ready to begin tolling operations.

Implementation of a new toll system requires the services of a Toll System Integrator (TSI) and System Manager. A TSI provides very specialized services for toll system design, software development, equipment procurement and installation, testing, and opening the express lanes for revenue service. Only upon completion of system testing during live operations, is the toll system implementation considered complete. The TSI is typically contracted to provide ongoing Operations and Maintenance (O&M) services for the life of the toll system. In coordination with Alameda CTC staff, a System Manager provides technical oversight of the TSI during the implementation phase. In addition, a System Manager may provide support during operations to ensure key performance metrics are met throughout the life of the toll system and offer program support relating to express lane system expansion efforts.

In July 2016, HNTB was selected through a competitive process to provide System Manager Services for the I-680 Sunol Express Lanes Project and as-needed operational support for Alameda CTC's operations of the I-580 Express Lanes and I-680 Sunol Southbound Express Lane. In June 2016, Kapsch TrafficCom USA, Inc. (Kapsch) was selected as the TSI for the I-680 Sunol Express Lanes project, and in November 2018, Kapsch was selected as the TSI for the I-580 Toll System Upgrade project. With the second selection, a decision was made to develop the two toll systems as a joint toll host system utilizing the technical requirements of the I-580 Toll System Upgrade Project. The toll system design and software development work by the TSI incurred delays and the I-580 Toll System Upgrade work has been terminated with that contractor. However, because the enhanced technical requirements will assure greater performance, accountability, and revenue capture for the I-680 Sunol Express Lanes, and the scope of O&M agreement for the I-680 Sunol Express Lanes has already been negotiated to

include ongoing monitoring of these requirements, it is in Alameda CTC's best interest to have the I-680 Sunol Express Lanes toll system completed with these enhanced requirements.

This amendment will provide the technical oversight necessary for verification of these enhanced system requirements and sufficient budget to oversee the remaining TSI testing and implementation work. This budget includes more rounds of document review and more workshops that had been originally scoped due to the need for additional TSI oversight. Completion of the TSI work is currently expected by June 2022, but the amendment would include an extension to December 31, 2022 to allow for unexpected delays and administrative closeout of the contract. Staff has negotiated the contract amendment with HNTB based on the level of effort anticipated to be required to conduct the additional work scope. With the proposed modifications, the contract would continue to exceed the Local Business Contract Equity goal of 70% Local Business Enterprise but would reduce the Small Local Business Enterprise (SLBE) participation from 17% to 7%. This is primarily due to specialized expertise needed to oversee the TSI software development. Staff has determined that this negotiated amount is fair and reasonable to both Alameda CTC and HNTB. Table A summarizes the contract actions related to Agreement No. A16-0075.

Table A: Summary of Agreement No. A16-0075			
Contract Status	Work Description	Value	Total Contract Not-to-Exceed Value
Original Professional Services Agreement with HNTB (A16-0075) <i>Approved July 2016</i>	System Manager Services for the I-680 Sunol Express Lanes	\$1,000,000	\$1,000,000
Amendment No. 1 (Administrative Amendment) <i>Executed February 2018</i>	Addition of Special Conditions Relating to Personally Identifiable Information	N/A	\$1,000,000
Amendment No. 2 <i>Approved November 2018</i>	Additional System Manager services for the I-680 and I-580 Express lanes, additional budget, and 24-month time extension	\$525,000	\$1,525,000
Amendment No. 3 (Administrative Amendment) <i>Executed June 2020</i>	Modification of indemnification and insurance requirement provisions	N/A	\$1,525,000
<i>Proposed Amendment No. 4 February 2021 – (This Agenda Item)</i>	Provide additional budget and 6-month time extension to complete the I-680 Sunol Express Lanes project	\$920,000	\$2,445,000
Total Amended Contract Not-to-Exceed Amount			\$2,445,000

Levine Act Statement: The HNTB team did not report a conflict in accordance with the Levine Act.

Fiscal Impact: The fiscal impact of approving this item is \$920,000. The action will authorize previously allocated 2000 Measure B Sales Tax funds to be used for subsequent expenditure. This budget is included in the Project's funding plan and in Alameda CTC's Adopted FY 2020- 2021 Capital Program Budget.



Memorandum

6.7

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: February 18, 2021

TO: Alameda County Transportation Commission

FROM: Chris G. Marks, Associate Transportation Planner

SUBJECT: Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments

Recommendation

This item updates the Commission with a summary of Alameda CTC's review and comments on Environmental Documents and General Plan Amendments. This item is for information only.

Summary

This item fulfills one of the requirements under the Land Use Analysis Program (LUAP) element of the Congestion Management Program. As part of the LUAP, Alameda CTC reviews Notices of Preparations (NOPs), General Plan Amendments (GPAs), and Environmental Impact Reports (EIRs) prepared by local jurisdictions and comments on the potential impact of proposed land development on the regional transportation system.

Since the last update on January 11, 2021, Alameda CTC has not reviewed any environmental documents.

Fiscal Impact: There is no fiscal impact. This is an information item only.

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Immediate Past President

DAVE HAUBERT

Mayor of Dublin

President

MARILYN EZZY ASHCRAFT

Mayor of Alameda

Vice President

LILY MEI

Mayor of Fremont

Alameda County Mayors' Conference

Alameda
Marilyn Ezzy Ashcraft

February 11, 2021

Albany
Ge'Nell Gary

Angie Ayers
Associate Administrative Analyst
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

Berkeley
Jesse Arreguin

Dublin
Melissa Hernandez

Transmitted via email to: aayers@alamedaactc.org

Emeryville
Dianne Martinez

Dear Ms. Ayers:

Fremont
Lily Mei

At its regular meeting of February 10, 2021, the Alameda County Mayors' Conference appointed Ed Hernandez as the District 3 representative member to the Alameda County Transportation Commission Independent Watchdog Committee. Our records indicate that his term will commence upon ratification by the ACTC Board and expire in January 2023.

Hayward
Barbara Halliday

Livermore
Robert Woerner

Please contact Mr. Hernandez directly at [REDACTED] if you have any questions regarding next steps and/or any requests for additional information. His application is attached to this letter.

Newark
Al Nagy

Oakland
Libby Schaaf

Please contact me if you have any questions or need to follow-up regarding this appointment.

Piedmont
Teddy Gray King

Sincerely,

Pleasanton
Karla Brown

Steven Bocian

San Leandro
Pauline Cutter

Steven Bocian
Executive Director, Alameda County Mayors' Conference
sbocian@acmayorsconference.org
Alameda County Mayors' Conference

Union City
Carol Dutra-Vernaci

c. Ed Hernandez

Executive Director
Steven Bocian

Join the Alameda County Transportation Commission Independent Watchdog Committee (IWC)



Mission.

The mission of the Alameda County Transportation Commission (Alameda CTC) is to plan, fund and deliver transportation programs and projects that expand access and improve mobility to foster a vibrant and livable Alameda County.

Get involved and make a difference!

Make sure your Measure B and Measure BB tax dollars are improving transportation in Alameda County, as promised to voters. The IWC is charged with the review of Measure B expenditures and Measure BB expenditures and performance measures and reports directly to the public each year on how the sales tax funds are being spent.

Public meetings.

Generally, the group meets quarterly on the evening of the second Monday of the month. Meetings are open to the public.

Interested?

Fill out the application on the back of this flyer and contact your appointing party (see the Alameda CTC website at www.alamedactc.org/app_pages/view/8 for district supervisors) or contact Alameda CTC at 510.208.7400.

Membership requirements:

- Members must be Alameda County residents.
- One per district, appointed by the Board of Supervisors
- One per district, appointed by the Alameda County Mayor's Conference
- One per representing organization specified in the Measure B and Measure BB Expenditure Plans:
 - Alameda County Labor Council
 - Alameda County Paratransit Advisory and Planning Committee
 - Alameda County Taxpayers' Association
 - Bike East Bay
 - East Bay Economic Development Alliance
 - League of Women Voters
 - Sierra Club



Plan • Fund • Deliver

Your transportation tax dollars at work!

Application for the Alameda CTC Independent Watchdog Committee (IWC)



Alameda CTC invites Alameda County residents to serve on its **Independent Watchdog Committee**, which generally meets quarterly on the evening of the second Monday of the month. Each member is appointed for a two-year term.

Membership qualifications:

Each IWC member must be an Alameda County resident and must not be an elected official at any level of government or a public employee of an agency that oversees or benefits from the proceeds of the sales tax or have any economic interest in any Measure B or Measure BB-funded projects or programs.

Name: Ed Hernandez

Home Address: [REDACTED]

Mailing Address (if different): _____

Phone: (home) _____ (work) [REDACTED] (cell) [REDACTED]

Email: [REDACTED]

Please respond to the following sections on a separate attachment:

- I. **Commission/Committee Experience:** What is your previous experience on a public agency commission or committee? Please also note if you are currently a member of any commissions or committees.
- II. **Statement of Qualifications:** Provide a brief statement indicating why you are interested in serving on the IWC and why you are qualified for this appointment.
- III. **Relevant Work or Volunteer Experience:** Please list your current employer and relevant volunteer experience including organization, address, position and dates.
- IV. **Bio or Resume:** Please include your current biography or resume.

Certification: I certify that the above information is true and complete to the best of my knowledge.

Signature Ed Hernandez Date January 5, 2021

Return the application to your appointing party for signature (see www.alamedactc.org/app_pages/view/8), or fax (510.893.6489) or mail it to Alameda CTC.

Appointing Party:

Signature: _____

Date: _____

ALAMEDA COUNTY MAYORS' CONFERENCE

Application for Consideration of Appointment to a Regional Board

Position Applying For: ACTC Independent Watchdog Committee

Applicant's Name: Ed Hernandez

Applicant's Address: [REDACTED]

Applicant's Zip Code: [REDACTED] Applicant's Phone: [REDACTED]

Applicant's Email: [REDACTED]

Are you able to attend daytime and/or evening meetings?

Yes.

Please describe your participation with civic or community organizations and activities:

Most recently, served on the San Leandro City Council (2016-2020) where previously served on its Planning commission for five years. I am also appointed to the Alameda County Fair Association Board by Supervisor Wilma Chan, in my fourth year of that term. I have been a member of Bike East Bay, served on the San Leandro Chamber of Commerce board, non-profits towards higher learning opportunities and regional boards like East Bay Community Energy as the San Leandro representative.

I enjoy cycling and riding with my family on most days, where I am inspired to see the East Bay Greenway realized for the region with the support of ACTC and how I can affect that development, where I previously lobbied, on behalf of the City of San Leandro, in Washington DC.

Please explain your interest in becoming a member of this Regional Board:

I am interested in serving on this board's oversight committee to support its efforts in deploying resources to the community to affect the desired outcomes of repairing, enhancing and developing solutions to improve transit in 'complete' ways across our region. I am passionate about getting people out of their cars and using alternative and safe methods of transportation that reduces the dependency on carbon vehicles. Ideally, as we transition from full time Zooms, we can still leverage technology to minimize the use of the transit infrastructure, allowing it to last longer, and deploying capital to projects like the East Bay Greenway to spur development for people to live/work/recreate in nearby places.

I am excited to have the support of Mayor Pauline Cutter, Chair of ACTC, for my application to serve on the committee and look forward to continue my public service in Alameda County.

Thank you,



Date Submitted: January 4th, 2021

Email Completed Form to: Steven Bocian, Executive Director at sbocian@acmayorsconference.org



Bicycle and Pedestrian Advisory Committee Meeting Minutes Thursday, November 18, 2020, 5:30 p.m.

7.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

1. Call to Order

Bicycle and Pedestrian Advisory Committee (BPAC) Chair, Matt Turner, called the meeting to order at 5:30 p.m.

2. Roll Call

A roll call was conducted and all members were present with the exception of Liz Brisson.

Subsequent to the roll call:

Liz Brisson arrived during item 3.

3. Public Comment

There were no public comments.

4. BPAC Meeting Minutes

4.1. Approve September 17, 2020 BPAC Meeting Minutes

BPAC members requested the following amendments to the minutes:

- Ninth bullet on page 2 under item 5.1 change "...be" to "...are"
- Tenth bullet on page 2 under item 5.1 change "at Dougherty Rd." to "West of Dougherty Rd."
- Sixth bullet on page 3 under 5.2 change "and" to "as"

Feliz Hill made a motion to approve this item with amendments. Jeremy Johansen seconded the motion. The motion passed with the following votes:

Yes: Brisson, Fishbaugh, Hill, Johansen, Marleau, Matis, Murtha, Schweng,
 Turner

No: None

Abstain: None

Absent: None

5. Regular Matters

5.1. San Pablo Avenue Corridor Project: Phase 2 Approach

Cathleen Sullivan presented an update on the San Pablo Avenue Corridor Project, and the approach for Phase 2. Ms. Sullivan stated that the San Pablo Avenue Corridor Project will improve multimodal mobility, efficiency, and safety to sustainably meet current and future transportation needs and support a strong local economy and growth along the corridor while respecting local contexts. She stated that Phase 1 identified and refined potential long-term concepts for the corridor through outreach and technical analyses. Due to the complex and constrained nature of the corridor, no single long-term vision emerged at the end of Phase 1 and

multiple project concept alternatives are still being considered. Phase 1 narrowed the range of options and identified two potential tranches of work for Phase 2: (1) the potential for an infrastructure pilot project in the Alameda County section of the corridor to, and (2) a set of smaller-scale corridor improvements within Alameda County that could be implemented within three years, focused on improving safety on this high injury corridor. Phase 2 will refine and advance these two sets of improvements towards construction. Ms. Sullivan stated that the exact configuration to be implemented by the infrastructure pilot will be determined as part of Phase 2. She asked for input/feedback from the BPAC on the following questions:

- What aspects of Phase 2 are more important to you?
- What will be the most effective ways to work with the active transportation community to advance the Phase 2 approach?

Angie Ayers, Assistant Clerk, read the following written public comment from Jordan Burns. "I express my support for bus lanes and bike lanes on San Pablo."

The following public comments were heard during the meeting:

Stephanie Beacham, SeqQuest Bay Area, stated that she bikes frequently along between Albany, Berkeley, Emeryville and Oakland. She supports the alternatives that includes protected bike lanes, dedicated bus lanes, and pedestrian improvements along San Pablo Avenue.

John Minot, East Bay Transit Riders Union and East Bay for Everyone, expressed his support for moving forward on this project. He requested improved bus service in the near-term and supports the option that will improve bus lanes and bike lanes.

David Ying, East Bay Transit Riders Union and East Bay for Everyone, expressed his support for alternatives that include improvements for transit, biking and walking that will line up with near-term and long-term alternatives. He requested the process be accelerated to implement the near-term changes. He also encouraged staff to keep seniors and people with disabilities in mind.

Robert Prinz, Bike East Bay, stated that he supports the alternative that will build high a quality protected bikeway and busway in Oakland and Emeryville.

Derek Sagehorn, East Bay Transit Riders Union and East Bay for Everyone, expressed the same items mentioned by his colleagues. He stated that it would be great if Berkeley and Albany could be included in the pilot.

Dylan Reichstadt expressed his support for a protected bike lane on San Pablo Avenue.

Hayden Miller, East Bay Transit Riders Union, expressed his support for this project to be a Complete Streets project inclusive of bikers, bus riders, and pedestrians. He also requested accelerating the implementation of the near-term items.

Committee Comments:

Liz Brisson agreed with all of the stated public comments and noted the volume of comments. She agreed the long-term approach should include both bike and transit lanes and supports the approach an incremental approach. Regarding the goal to deliver the project in 2023, she asked if the Caltrans process can be altered at all to go faster, given the urgent need for improvements. Ms. Sullivan stated that since the kick-off of Phase 2 staff has heard many requests to move faster on the project.

Liz Brisson asked if staff has heard from AC Transit regarding the Tempo BRT services and how it might integrate with the corridor. Ms. Sullivan stated that will reach out to AC Transit to discuss this.

David Fishbaugh stated that staff has taken an approach that is appropriate and in the long run it will pay dividends. He agreed with the public comments as well.

Dave Murtha commented about the near-term alternatives. He stated that the near-terms alternatives 1 and 4 show bikes at the same grade as autos. There are no separations between bikes and automobiles. Bicycles and automobiles need to be separated.

Dave Murtha asked if staff is looking at methods to discourage automobile use. Caltrans has a history of accommodating automobiles and asked what type changes staff have looked at actively discourage automobile use.

Matt Turner commented that separated by grade is the best thing for bike facilities. He received calls this week regarding this project that are concerned about the islands for the vision impaired. Grade separation and protection are a must for an environment for active transportation.

Ben Schweng stated that he is concerned about the retailers and there is no place to park. He requested more information about the survey responses. He noted that many routes on San Pablo Avenue are not safe and the parallel route gives the safer perception.

Ms. Sullivan stated that an outreach report is on the Alameda CTC website. The visually impaired issue will be considered and it is more challenging for loading and staff will look at that.

This item is for information only.

5.2. New Mobility Roadmap

Chris Marks presented an update on development of the New Mobility Roadmap, which was developed as the technology element of the 2020 Countywide Transportation Plan. In 2019, Alameda CTC launched an effort to establish a framework for addressing the rapid change in technology and mobility – the New Mobility Roadmap. The Roadmap will support high quality, modern infrastructure and convenient travel options enabled by new technologies and services. The Roadmap seeks to leverage potential benefits, strategically manage risks to protect users and infrastructure, and facilitate information-sharing and coordination. The Development of this Roadmap has been a multi-step process that started with nine goals which define broad outcomes for new mobility technologies and services. These were derived from the CTP and adapted to be in alignment with the new mobility context. Next, a set of strategies were developed for each goal to respond to specific challenges and opportunities inherent in new mobility technologies and services. Mr. Marks requests input from the BPAC on the Roadmap and near-term priority actions as Alameda CTC begins to take initial steps towards implementation.

Matt Turner asked about automation and highlighted the vulnerability of active transportation users with the eventual arrival of self-driving cars. He also asked how active transportation can fit in the Transportation Working Group.

Jeremy Johansen commented that the planning for electric infrastructure should involve the jurisdictions in terms of the natural energy sources. He advocated for equity as a top consideration as well.

Dave Murtha stated that two of the new term priority actions are to pilot a major innovative transit corridor and pilot a mobility hub, are there locations that have already been shortlisted as part of this plan. Mr. Marks stated that the multimodal corridor studies underway are strong candidates for the innovative transit corridors. Ms. Sullivan stated that many of the jurisdictions are looking at BART stations as well for mobility hubs.

This item is for information only.

6. Staff Reports

Chris Marks informed the committee that this is Liz Brisson's last BPAC meeting and thanked her for her service. Matt Turner and David Fishbaugh wished her well and noted that she will be missed.

7. Member Reports

David Fishbaugh and Kristi Marleau inquired about their reappointments to the Committee.

David Fishbaugh informed the committee that he had a bad bicycle accident on a parking lot speed bump. He had surgery and will have many months of rehab. He

reached out to the City of Fremont staff to ask about regulations regarding speed bumps in parking lots and was told that speed bumps that are not on city or municipality roadways are not regulated.

Kristi Marleau invited the Committee to BikeTopia on Wednesday, November 18, 2020.

Ben Schweng stated that the rise in cycling during the pandemic has increased the purchase and theft of bicycles.

Dave Murtha commented that the owner of the property where the speed bump is located that caused the accident hasn't considered the impact of what a speed bump is with active transportation. He noted that understanding of the rules starts with litigation.

7.1. BPAC Calendar

The committee calendar is provided in the agenda packet for information purposes. Dave Murtha requested a blurb regarding the Oakland Alameda Access Project.

7.2. BPAC Roster

The committee roster is provided in the agenda packet for information purposes.

8. Meeting Adjournment

The meeting adjourned at 7:00 p.m. The next meeting is scheduled for Thursday, February 4, 2021, via Zoom.

**Alameda County Transportation Commission
Bicycle and Pedestrian Advisory Committee
Roster and Attendance Fiscal Year 2020-2021**

	Suffix	Last Name	First Name	City	Appointed By	Term Began	Re-apptmt.	Term Expires
1	Mr.	Turner, Chair	Matt	Castro Valley	Alameda County Supervisor Nate Miley, District 4	Apr-14	Dec-19	Dec-21
2	Ms.	Marleau, Vice Chair	Kristi	Dublin	Alameda County Mayors' Conference, D-1	Dec-14	Jan-19	Jan-21
3	Mr.	Fishbaugh	David	Fremont	Alameda County Supervisor David Haubert, District 1	Jan-14	Mar-19	Mar-21
4	Ms.	Hill	Feliz G.	San Leandro	Alameda County Supervisor Wilma Chan, District 3	Mar-17	Jul-19	Jul-21
5	Mr.	Johansen	Jeremy	San Leandro	Alameda County Mayors' Conference, D-3	Sep-10	Feb-18	Feb-20
6	Mr.	Matis	Howard	Berkeley	Alameda County Supervisor Keith Carson, District 5	Sep-19		Sep-21
7	Mr.	Murtha	Dave	Hayward	Alameda County Supervisor Richard Valle, District 2	Sep-15	Jun-19	Jun-21
8	Mr.	Ogwuegbu	Chiamaka	Oakland	Alameda County Mayors' Conference, D-4	Jan-21		Jan-23
9	Mr.	Pilch	Nich	Albany	Alameda County Mayors' Conference, D-5	Jan-21		Jan-23
10	Mr.	Schweng	Ben	Alameda	Alameda County Mayors' Conference, D-2	Jun-13	Jul-19	Jul-21



Memorandum

8.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: February 18, 2021

TO: Alameda County Transportation Commission

FROM: Cathleen Sullivan, Director of Planning
Chris G. Marks, Associate Transportation Planner

SUBJECT: 2020 Multimodal Performance Report Update

Recommendation

This item is to provide the Commission with an update on the Congestion Management Program 2020 Multimodal Performance Report, focused on the impact of the COVID-19 pandemic on transportation in Alameda County. This item is for information only.

Summary

Each year, the Alameda County Transportation Commission (Alameda CTC) prepares a summary of the state of the transportation system within Alameda County, tracking a series of key performance metrics for the countywide multimodal transportation system. The purpose of this report is to elucidate emerging trends which shape policy and decision-making throughout the agency.

Typically, the annual performance report reflects multi-year shifts and gradual trends over a variety of important indicators. However, 2020 was a year unlike any other and the COVID-19 pandemic altered transportation in Alameda County so quickly and so radically that many of the standard instruments of measurement typically used for the performance report would fail to capture the current state of the system. The 2020 performance report therefore was developed using a new methodologically in order to shed light on the transportation system with a more real-time analysis of available metrics.

The 2020 Multimodal Performance Report, included here as Attachment A, briefly examines transportation as of early 2020, before the onset of the pandemic in Alameda County, and then presents available data for transit, autos, goods movement and active transportation in the months following March 2020. Key findings from this report include:

- Transit Ridership fell more than 90 percent in Alameda County as a result of the COVID-19 pandemic. Ridership in more low-income communities has recovered faster than in higher-income communities.

- Average freeway speeds increased more than 20 percent. However, this did not correlate to a comparable decrease in vehicle travel: vehicle trips across the Bay Bridge and total vehicle miles traveled were only down about 10 percent.
- Average speeds on major arterials increased by more than 14 percent during the afternoon peak commute. Speeds on suburban arterials rose more than urban arterials.
- Pedestrian volumes were down almost 60 percent in downtown areas.
- Bicycle sales were up 75 percent year-over-year in the spring of 2020.
- Imports and exports through the Port of Oakland fell just two percent while passenger volumes at the Oakland Airport fell 95 percent.
- Work from home skyrocketed.

Fiscal Impact: There is no fiscal impact. This is an information item only.

Attachment:

- A. [2020 Multimodal Performance Report: Transportation and COVID-19 in Alameda County](#) (*hyperlinked to web*)



Memorandum

8.2

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: February 18, 2021

TO: Alameda County Transportation Commission

FROM: Carolyn Clevenger, Deputy Executive Director of Planning and Policy
Maisha Everhart, Director of Government Affairs and Communications

SUBJECT: Federal, state, regional, and local legislative activities update

Recommendation

This item is to provide the Commission with an update on federal, state, regional, and local legislative activities.

Background

The Commission approved the 2021 Legislative Program in January 2021. The purpose of the legislative program is to establish funding, regulatory, and administrative principles to guide Alameda CTC's legislative advocacy.

Each month, staff brings updates to the Commission on legislative issues related to the adopted legislative program, including recommended positions on bills as well as legislative and policy updates. Attachment A is the Alameda CTC 2021 adopted legislative platform.

Federal Update

President Joe Biden was inaugurated at the U.S. Capitol on January 20, 2021. During his first two days in office, he issued 25 executive orders, the first of many we expect to see in the coming months. President Biden's executive orders are focused primarily on addressing COVID-19, the economic recession, climate change and racial inequity.

Senate Committees held confirmation hearings for several Presidential Cabinet nominees at the end of January including Janet Yellen (Treasury), Alejandro Mayorkas (Homeland), Lloyd Austin (Defense), and Pete Buttigieg (Transportation). Janet Yellen's nomination was unanimously advanced by the Senate Finance Committee. The full Senate confirmed Avril Haines' nomination for Director of National Intelligence 84-10 and General Lloyd Austin's nomination for Secretary of

Defense 93-2. The full Senate Confirmed Pete Buttigieg's nomination for Secretary of Transportation 86-13 on February 2, 2021.

In January, President-elect Biden unveiled a \$1.9 trillion stimulus proposal. The American Rescue Plan, an emergency legislative package to address the COVID-19 pandemic, is meant to serve as the first step in a two-step process of rescue and recovery. The proposal includes state and local aid; public health investments; money for schools; emergency paid leave; transit operations; housing and rental assistance; nutrition assistance; child care support; and \$1,400 in additional direct stimulus payments, among other things.

Meetings will be scheduled with members of the Biden Administration and federal delegation in the Spring.

State Update

The state legislature reconvened on January 11, 2021. The deadline for bills to be introduced is February 19, 2021. Once bills are introduced, staff will bring relevant legislation to the Commission for consideration. Our core priorities will continue to focus on securing capital and operating funding to ensure delivery of projects and programs throughout the county and support our transit agencies in the current Covid-19 pandemic. In addition, we will prioritize issues including: safety, multimodal transportation, climate, and COVID-19 relief.

Staff is scheduling virtual legislative visits for the Executive Director early in the legislative session with state members and staff.

Fiscal Impact: There is no fiscal impact associated with the requested action.

Attachment:

- A. Alameda CTC 2021 Legislative Program



2021 Alameda County Transportation Commission Legislative Program

1111 Broadway, Suite 800, Oakland, CA 94607
510.208.7400
www.AlamedaCTC.org

The legislative program herein supports Alameda CTC's transportation vision below adopted for the 2020Countywide Transportation Plan:

“Alameda County residents, businesses and visitors will be served by a premier transportation system that supports a vibrant and livable Alameda County through a connected and integrated multimodal transportation system promoting sustainability, access, transit operations, public health and economic opportunities.” Our vision recognizes the need to maintain and operate our existing transportation infrastructure and services while developing new investments that are targeted, effective, financially sound and supported by appropriate land uses. Mobility in Alameda County will be guided by transparent decision-making and measurable performance indicators. Our transportation system will be:

- *Accessible, Affordable and Equitable – Improve and expand connected multimodal choices that are available for people of all abilities, affordable to all income levels.*
- *Safe, Healthy and Sustainable – Create safe facilities to walk, bike and access public transportation to promote healthy outcomes and support strategies that reduce adverse impacts of pollutants and greenhouse gas emissions by reducing reliance on single-occupant vehicles.*
- *High Quality and Modern Infrastructure – Upgrade infrastructure such that the system is of a high quality, is well-maintained, resilient and maximizes the benefits of new technologies for the public.*
- *Economic Vitality – Support the growth of Alameda County's economy and vibrancy of local communities through an integrated, reliable, efficient, cost-effective and high-capacity transportation system.”*

Issue	Priority	Strategy Concepts
Transportation Funding	Increase transportation funding	<ul style="list-style-type: none">• Seek COVID-19 state and federal recovery and operations funding and waive federal cost sharing requirements for transit.• Support means-based fare programs while being fiscally responsible.• Leverage local funds to the maximum extent possible to implement transportation improvements in Alameda County through grants and partnerships with regional, state and federal agencies.• Oppose efforts to repeal transportation revenue streams enacted through SB1.• Support efforts that protect against transportation funding diversions.• Support efforts to lower the two-thirds voter threshold for voter-approved transportation measures.• Support the implementation of more stable and equitable long-term funding sources for transportation.• Ensure fair share of sales tax allocations from new laws and regulations.• Seek, acquire, accept and implement grants to advance project and program delivery.
	Protect and enhance voter-approved funding	<ul style="list-style-type: none">• Support legislative efforts that increase funding from new and/or flexible funding sources to Alameda County for operating, maintaining, restoring, and improving transportation infrastructure and operations.• Support efforts that give priority funding to voter-approved measures and oppose those that negatively affect the ability to implement voter-approved measures.• Support efforts that streamline financing and delivery of transportation projects and programs.• Support rewarding Self-Help Counties and states that provide significant transportation funding into transportation systems.• Support statewide principles for federal surface transportation reauthorization and/or infrastructure bills that expand funding and delivery opportunities for Alameda County.

Multimodal Transportation, Land Use, Safety and Equity	Expand multimodal systems, shared mobility and safety and advance equity	<ul style="list-style-type: none"> • Support policies that provide increased flexibility for transportation service delivery through programs that address the needs of commuters, youth, seniors, people with disabilities and low-incomes, and do not create unfunded mandates. • Support policies that enable shared mobility innovations while protecting the public interest, including allowing shared and detailed data (such as data from transportation network companies and app based carpooling companies) that could be used for transportation and land use planning and operational purposes while ensuring privacy is protected. • Support efforts to allow automated parking enforcement of parking or stopping in bus stops. • Support policies that enhance equity and transportation access. • Support means-based fare programs while being fiscally responsible. • Support investments in transportation for transit-dependent communities that provide enhanced access to goods, services, jobs and education; and address parking placard abuse. • Support parity in pre-tax fringe benefits for public transit, carpooling, and vanpooling and other modes with parking. • Support legislation to modernize the Congestion Management Program, supporting the linkage between transportation, housing, and multi-modal performance monitoring. • Support efforts to increase transit priority throughout the transportation system, such as on freeway corridors and bridges serving the county including express bus on shoulder opportunities. • Ensure that Alameda County needs are included in and prioritized in regional, state and federal planning and funding processes. • Engage in legislation and regulation of new/shared mobility technology with the goal of accelerating their safety, accessibility, mobility, environmental, equity, economic and workforce benefits, including opportunities to increase access to transit and reduce the share of single-occupancy vehicle trips. • Support policies that enhance Bay Area goods movement and passenger rail planning, funding, delivery and advocacy that enhance the economy, local communities, and the environment. • Support advocacy of cooperation and partnership with railroads to advance projects, with a particular interest in rail safety projects.
	Enhance Transportation Safety	<ul style="list-style-type: none"> • Support investments in active transportation, including for improved safety and advance Vision Zero strategies to reduce speeds and protect communities. • Support allowing cities the discretion to use more effective methods of speed enforcement within their jurisdictions. • Support efforts to enable automated speed enforcement. • Allow local flexibility to set safer speed limits (thereby getting rid of the 85th percentile rule). • Regulate navigation apps from directing regional commute traffic onto local neighborhood streets as a bypass for freeway traffic congestion.
Climate Change and Technology	Support climate change legislation and technologies to reduce greenhouse gas (GHG) emissions	<ul style="list-style-type: none"> • Support funding for infrastructure, operations, and programs to relieve congestion, improve air quality, reduce emissions, expand resiliency and support economic development, including transitioning to zero emission transit fleets and trucks consistent with and supportive of Governor Newsome's Executive order N-79-20. • Support rewarding Self-Help Counties with cap-and-trade funds for projects and programs that are partially locally funded and reduce GHG emissions. • Support emerging technologies such as alternative fuels and technology to reduce GHG emissions. • Support efforts to address sea level rise adaptation including planning, funding and implementation support. • Support legislation and policies to facilitate deployment of connected and autonomous vehicles in Alameda County, including data sharing that will enable long-term planning. • Support the expansion of zero emissions vehicle charging stations and station infrastructure for buses. • Support for safer vehicles and telecommuting.

		<ul style="list-style-type: none"> • Support efforts that ensure Alameda County jurisdictions are eligible for state funding related to the definition of disadvantaged communities used in state screening tools. • Support efforts to increase transit priority throughout the transportation system, such as on arterials, freeway corridors and bridges serving the County.
Project Delivery and Operations	Advance innovative project delivery	<ul style="list-style-type: none"> • Support environmental streamlining and expedited project delivery, including contracting flexibility and innovative project delivery methods.
	Ensure cost-effective project delivery	<ul style="list-style-type: none"> • Support efforts that reduce project and program implementation costs. • Support funding and policies to implement transportation projects that create jobs and economic growth, including for apprenticeships and workforce training programs.
	Protect the efficiency of managed lanes	<ul style="list-style-type: none"> • Support expanded opportunities for HOV/managed lane policies that protect toll operators' management of lane operations and performance, toll rate setting and toll revenue reinvestments, deployment of new technologies and improved enforcement. • Support innovation and managed delivery of lane conversions. • Support high-occupancy vehicle (HOV)/express lane expansion in Alameda County and the Bay Area, and efforts that promote effective and efficient lane implementation and operations. • Oppose legislation that degrades HOV lanes that could lead to congestion and decreased efficiency.
	Reduce barriers to the implementation of transportation and land use investments	<ul style="list-style-type: none"> • Support legislation that increases flexibility and reduces barriers for infrastructure improvements that support the linkage between transportation, housing and jobs. • Support local flexibility and decision-making regarding land-uses for transit-oriented development (TOD) and priority development areas (PDAs). • Support funding and partnership leveraging opportunities for TOD and PDA implementation, including transportation corridor investments that link PDAs.
Partnerships	Expand partnerships at the local, regional, state and federal levels	<ul style="list-style-type: none"> • Support efforts that encourage regional and mega-regional cooperation and coordination to develop, promote, and fund solutions to regional and interregional transportation problems and support governmental efficiencies and cost savings. • Partner to increase transportation funding for Alameda CTC's multiple projects and programs and to support local jobs.

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Memorandum

10.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: February 18, 2021

TO: Alameda County Transportation Commission

FROM: Gary Husingh, Deputy Executive Director of Projects
Trinity Nguyen, Director of Project Delivery

SUBJECT: Consideration of Adoption of three Resolutions of Necessity
Authorizing Filing of Eminent Domain Actions to Acquire Real Property
Interests Necessary for the Interstate 80/Gilman Street Interchange
Improvement Project

Recommendation

It is recommended that the Commission approve the following recommendations:

- 1) Conduct hearings on Resolutions of Necessity and consider all the evidence presented for the acquisition of the real property interests necessary for the Interstate 80 (I-80)/Gilman Street Interchange Improvement Project (Project) as outlined; and
- 2) Adopt, **by at least a four-fifths vote of the membership of the Commission (i.e., at least 18 members)**, Resolutions of Necessity making the findings that the public interest and necessity require the Project; that the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; that the property interests sought to be acquired are necessary for the Project; and that the offers required by Section 7267.2 of the Government Code have been made to the owners of record, and authorize the commencement of eminent domain proceedings.

Summary

A variety of real property interests, including 2 fee simple, 2 permanent access rights, 1 permanent easement, and 4 temporary construction easements (TCEs) from 6 parcels are necessary for the construction of the Project. Staff has been negotiating with property owners since February and April 2020, and mutually acceptable agreements have been reached with three of the property owners. Staff and the three remaining owners have not been able to reach agreement. To keep the Project on schedule and to avoid the risk of delay and loss of funding for the Project from the State, the Alameda County Transportation Commission (Alameda CTC) should consider adopting Resolutions of

Necessity to authorize filing eminent domain actions to acquire the real property interests necessary for the Project from the three remaining owners.

Background

Project Purpose and Need

The purpose of this project is to:

- Improve safety for all modes of transportation at the I-80/Gilman Street Interchange
- Simplify and improve navigation, mobility, and traffic operations on Gilman Street between the West Frontage Road and 2nd Street through the I-80 interchange
- Reduce congestion, vehicle queues, and traffic, bicycle, and pedestrian conflicts
- Improve local and regional bicycle and pedestrian facilities through the I-80/Gilman Street interchange

Gilman Street is classified as a major arterial with a posted speed limit of 25 miles per hour (mph) and is designated as a truck route. Vehicular traffic on Gilman Street is comprised of commuter, local, and commercial truck traffic. Traffic controls along Gilman Street include pavement markings, with channelization at the 6th, 8th, and 9th Street intersections only, and stop signs. These conditions, along with large traffic volumes, have created poor and confusing operations in the interchange area.

This interchange has become increasingly deficient due to the high peak hour delay as a result of high traffic volume and turning movements. Nonstandard spacing between I-80 ramp intersections and frontage roads, combined with free-flow traffic on Gilman Street, without turn channelization, has resulted in poor intersection operations due to short weaving lengths, left-turn storage in through lanes, and complex vehicle navigation through multiple points of conflict.

Project Description

The I-80 Gilman Street Interchange Improvement Project is located in Alameda County at the Interstate 80 (I-80)/Gilman Street interchange in the cities of Berkeley and Albany. The scope and emphasis of the Project is to simplify and improve navigation, mobility, and traffic operations; reduce congestion, vehicle queues, and conflicts; improve local and regional bicycle connections and pedestrian facilities; and improve safety at the I-80/Gilman Street interchange. Current conditions, along with an overall increase in vehicle traffic, have created poor and confusing operations in the interchange area for vehicles, pedestrians, and bicyclists.

The total estimated Project cost is \$61,724,000. In addition to \$14,400,000 of Measure BB authorized by the Commission, a total of \$47,324,000 in Federal, State, and other Local funds have been secured for the Project. The majority of the construction phase funds are from State sources, including \$4,152,000 of Active Transportation Program (ATP) and \$41,229,000 of State Transportation Improvement Program (STIP) funding, and requires authorization by the California Transportation Commission (CTC).

The Project is proposed to be constructed in two phases. Phase 1 of the Project secured \$20,968,000 from the California Transportation Commission CTC at its August 13, 2020 meeting and construction is anticipated to begin in April 2021. Phase 2 of the Project must clear final delivery milestones (including securing the necessary right of way) and request the remaining \$21,968,000 of STIP funds by no later than the June 2021 CTC meeting.

Environmental Review

The environmental impacts of the Project were analyzed under both the California Environmental Quality Act (CEQA) and the National Environmental Protection Act (NEPA). Caltrans is the lead CEQA agency for the project. Caltrans is also the NEPA lead agency under the delegation of authority pursuant to 23 U.S. Code 327. On June 30, 2019, Caltrans approved the environmental clearance for the Project through an approved Initial Study with Negative Declaration /Environmental Assessment/Finding of No Significant Impact.

Project Right of Way Needs

On September 24, 2020, the Alameda CTC adopted a resolution to hear Resolutions of Necessity for the Project, if any were necessary. Caltrans has delegated its authority to hear any resolutions of necessity for the Project to Alameda CTC, which has the authority to hear any resolutions of necessity for the Project under its power of eminent domain pursuant to Article 1, Section 19 of the Constitution of the State of California, Section 760 of the Streets and Highways Code of the State of California, and Sections 1240.010 and 1240.110 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the County of Alameda.

Construction of the Project requires that Alameda CTC obtain a variety of real property interests, including 2 fee simple, permanent 2 access rights control, 1 permanent easement, and 4 TCEs from 6 parcels. Initial Government Code section 7267.2 offers were made to the six property owners between February and April 2020. Two property owners received revised Government Code section 7267.2 offers in September and December 2020, as further detailed below. Staff has been successful in reaching mutually acceptable agreements with three property owners, but agreements have not been reached with the remaining three property owners.

The Subject Properties Required for the Project

Negotiations have been ongoing with the property owners and their representatives, but mutually acceptable agreements have not been reached with three property owners. Discussions will continue with all owners with the aim of negotiating acquisition settlement agreements before the filing of eminent domain litigation; however, in order to meet the construction schedule and avoid the loss of critical State funding, the adoption of resolutions of necessity to acquire the requisite right-of-way are needed at this time. There are no residences located within the areas being acquired, and no residences will be affected during construction. Businesses in the area will retain access and the properties will continue to be accessible during the Project construction.

Staff recommends the Commission conduct hearings on Resolutions of Necessity and consider all the evidence presented for the acquisition of the following real property interests necessary for the Project:

1) Caltrans Parcel 64014 located at APN 60-2535-1 at 1100 Eastshore Highway Berkeley, CA 94710:

The following acquisitions from the roadway frontage of this property are required for the Project:

- 64014-1: 2,047 square feet (sf) fee simple, including access rights
- 64104-2: 4,994 sf temporary construction easement

In the vicinity of this parcel, the Project will widen the west bound off-ramp to accommodate the newly constructed Gilman Street roundabout.

An offer pursuant to Government Code section 7267.2 was initially made to the owner on February 26, 2020. A revised Government Code section 7267.2 offer was made on December 7, 2020. The initial offer contemplated the cooperation of the property owner, which would allow for construction of improvements intended to mitigate potential project impacts on the owner's property, outside of the public right-of-way. Based on the inability to secure such coordination from the owner on terms that were mutually acceptable to the parties, and based on the lack of public need to support acquisition of the remainder property to construct said improvements, a revised Government Code section 7267.2 offer was sent reflecting monetary compensation for damages in lieu of the Project's constructing remainder improvements.

2) Caltrans Parcel 64016 located at APN 60-2363-3-7 at 1285 Eastshore Highway Berkeley, CA 94710:

The following acquisition is required from the roadway frontage of this property:

- 64016-1: 159.59 linear feet (lf) access rights

In the vicinity of this parcel, the Project will construct a new roundabout and modify the eastbound on-ramp at the Eastshore Highway and Gilman Street intersection.

An offer pursuant to Government Code section 7267.2 was initially made to the owner on April 3, 2020. An updated Government Code section 7267.2 offer was made on September 4, 2020. The parcel being acquired is permanent access rights along Eastshore Highway on the southern portion of the westerly property boundary of the subject property. The proposed acquisition is the exclusive right to access the subject property from Eastshore Highway. The purpose of the proposed acquisition is to remove access along its length from Eastshore Highway to satisfy ingress and egress standards after the proposed roundabout is constructed for the project.

As a result, the subject property would lose one of its current street access points. The revised offer would construct a new driveway to the north, similar to the existing driveway.

3) Caltrans Parcel 64015 located at APN 60-2344-1-2 at 1305 Eastshore Highway Berkeley, CA 94710:

The following acquisition is required from the roadway frontage of this property:

- 64015-1: 192.01 linear feet (lf) access rights

In the vicinity of this parcel, the Project will widen the west bound off-ramp to accommodate the newly constructed Gilman Street roundabout.

An offer pursuant to Government Code section 7267.2 was made to the owner on March 2, 2020. The proposed acquisition is the exclusive right to access the subject property from Eastshore Highway.

As a result, the proposed acquisition will remove the parcel's access rights along the parcel's length from Eastshore Highway to satisfy Caltrans' ingress and egress standards post- project construction.

The Proposed Resolutions of Necessity

Negotiations have been ongoing with the three remaining property owners and their representatives but mutually acceptable agreements have not been reached as of the date of this memo. Discussions will continue with all owners, even following the Commission's adoption of resolutions of necessity in hopes of negotiating final settlement agreements; however, to meet the construction schedule and to avoid the loss of critical STIP funding, the adoption of resolutions of necessity to acquire the needed right-of-way are needed at this time in the event settlements are not reached.

Adoption of Resolutions of Necessity with the following findings, **by at least four-fifths vote of the membership** of the Commission (i.e. at least 18 members) is required for the initiation of the proposed eminent domain actions:

1. The public interest and necessity require the proposed project.

Gilman Street is classified as a major arterial with a posted speed limit of 25 miles per hour (mph) and is designated as a truck route. Vehicular traffic on Gilman Street is comprised of commuter, local, and commercial truck traffic. Traffic controls along Gilman Street include pavement markings, with channelization at the 6th, 8th, and 9th Street intersections only. Traffic controls on all approaches to Gilman Street consist of stop signs and pavement markings. These conditions, along with an overall increase in vehicle traffic, have created confusing and unsafe operations in the interchange area.

This interchange has become increasingly deficient due to the high peak hour delay due to high traffic volume and turning movements. Nonstandard spacing between I-80 ramp intersections and frontage roads combined with free-flow traffic on Gilman

Street without turn channelization creates poor intersection operations due to short weaving lengths, left-turn storage in through lanes, and complex vehicle navigation through multiple points of conflict. The existing Level of Service (LOS) at the I-80 ramp intersections and Eastshore Highway intersections with Gilman Street during weekday and weekend peak hours has resulted in unsatisfactory levels due to stop-controlled intersections. Existing vehicle queue spillback from the I-80/Gilman Street ramp intersections onto the freeway off-ramps, especially in the westbound I-80 direction, contributes to unacceptable LOS at this interchange.

In addition, other needs related to modal connectivity and safety have been identified, including completing a link in the local (Gilman Street) and regional (Bay Trail) bikeway system in the area, and providing safe pedestrian access to and from the project area.

2. The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

Alameda CTC staff and the design consultant team studied and considered a number of alternatives for the Project design. No other alternative that was studied provided the needed safety and operational improvements afforded by the Project with the least private injury to adjacent properties. The Project as planned will thus be a benefit to the residents of Alameda County and the region as a whole, while impacting relatively few private property owners.

3. The property described in the resolution of necessity is necessary for the proposed project.

The project study report and environmental analysis for the Project each considered various alternatives, and it was determined that the Project as planned provided the greatest benefit to the residents of Alameda County and the region as a whole, with the least private injury. The noted acquisitions are necessary for the Project as planned. Construction of the Project is necessary to allow for the I-80/Gilman Street Interchange Improvements to accommodate current and future traffic needs, provide safe access for pedestrians and bicyclists, reduce congestion and improve mobility, simplify traffic operations, navigation and mobility at the interchange, shorten queues, reduce turning conflicts and improve merging, and improve local and regional biking facilities.

4. The offer required by Government Code Section 7267.2 has been made to all owners of record.

The Project right of way consultant team has made the required written offers to the owners of record or representative of the owners of record for each parcel, based on an approved appraisal of the fair market value of the properties as a whole and the specific property interests necessary for the Project. The offers included a written statement containing detail sufficient to indicate the basis for the offer as required by

Government Code section 7267.2, and an informational pamphlet setting out the eminent domain process and the property owner's rights.

Issues related to compensation for the real property interests necessary for the Project are not considered as part of the hearing on the proposed Resolutions of Necessity.

Staff recommends that Alameda CTC hold a hearing regarding the proposed Resolutions of Necessity, and thereafter adopt each of the Resolutions based on the above findings and information.

Fiscal Impact: There is no increased fiscal impact to the overall project budget.

Attachments:

- A. Proposed Resolution of Necessity No. 21-00_ for Caltrans Parcel 64014-1 & -2 with attached legal descriptions and map
- B. Proposed Resolution of Necessity No. 21-00_ for Caltrans Parcel 64016-1 with attached legal descriptions and map
- C. Proposed Resolution of Necessity No. 21-00_ for Caltrans Parcel 64015-1 with attached legal descriptions and map

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**RESOLUTION NO. 21-004**

Commission Chair
Mayor Pauline Russo Cutter
City of San Leandro

Commission Vice Chair
Councilmember John Bauters
City of Emeryville

AC Transit
Board President Elsa Ortiz

Alameda County
Supervisor David Haubert, District 1
Supervisor Richard Valle, District 2
Supervisor Wilma Chan, District 3
Supervisor Nate Miley, District 4
Supervisor Keith Carson, District 5

BART
Vice President Rebecca Saltzman

City of Alameda
Mayor Marilyn Ezzy Ashcraft

City of Albany
Councilmember Rochelle Nason

City of Berkeley
Councilmember Lori Droste

City of Dublin
Mayor Melissa Hernandez

City of Fremont
Mayor Lily Mei

City of Hayward
Mayor Barbara Halliday

City of Livermore
Mayor Bob Woerner

City of Newark
Councilmember Luis Freitas

City of Oakland
Councilmember At-Large
Rebecca Kaplan
Councilmember Sheng Thao

City of Piedmont
Councilmember Jen Cavanaugh

City of Pleasanton
Mayor Karla Brown

City of Union City
Mayor Carol Dutra-Vernaci

Executive Director
Tess Lengyel

A RESOLUTION OF THE ALAMEDA COUNTY TRANSPORTATION COMMISSION DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN LAND AND DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS ON CERTAIN PROPERTY FOR THE INTERSTATE 80 GILMAN IMPROVEMENT PROJECT

WHEREAS, the Alameda County Transportation Commission ("Alameda CTC") is vested with the power of eminent domain and is authorized to acquire real property by virtue of Article 1, Section 19 of the Constitution of the State of California; Section 25350.5 of the Government Code of the State of California, as delegated in Section 14 of the Alameda CTC Joint Powers Agreement; Section 760 of the Streets and Highways Code of the State of California; and Sections 1240.010, 1240.110, and 1240.610 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the County of Alameda; and

WHEREAS, it is desirable and necessary for Alameda CTC to acquire certain real property and property interests, particularly described in Exhibit 1, for the purpose of, *inter alia*, allowing for the I-80/Gilman Street Interchange Improvements to accommodate current and future traffic needs, provide safe access for pedestrians and bicyclists, reduce congestion and improve mobility, simplify traffic operations, navigation and mobility at the interchange, shorten queues, reduce turning conflicts and improve merging, and improve local and regional biking facilities; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure, written notice has been duly given to all persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last County of Alameda equalized assessment roll, all of whom have been given a reasonable opportunity to appear and be heard before the governing body of Alameda CTC (the "Commission") on the following matters:

- a) Whether the public interest and necessity require the project;
- b) Whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c) Whether the property sought to be acquired is necessary for the project; and

- d) Whether the offer required by Section 7267.2 of the Government Code has been made to the owners of record.

NOW THEREFORE, BE IT RESOLVED, by at least a four-fifths vote of the Commission, pursuant to Sections 1240.030 and 1245.230 of the Code of Civil Procedure of the State of California, that this Commission does and it hereby finds and determines each of the following:

Section 1. Based upon the evidence presented, this Commission finds and resolves as follows:

- (a) The property to be acquired is described in Exhibit 1, attached hereto and incorporated herein;
- (b) Said property is to be acquired for public use, to wit, for public highway purposes, pursuant to the authority granted by Article 1, Section 19 of the Constitution of the State of California; Section 25350.5 of the Government Code of the State of California, as delegated in Section 14 of the Alameda CTC Joint Powers Agreement; Section 760 of the Streets and Highways Code of the State of California; and Part 3, Title 7 of the Code of Civil Procedure;
- (c) The public interest and necessity require the project, which is to allow for the I-80/Gilman Street Interchange Improvements to accommodate current and future traffic needs, provide safe access for pedestrians and bicyclists, reduce congestion and improves mobility, simplify traffic operations, navigation and mobility at the interchange, shorten queues, reduce turning conflicts and improve merging, and improve local and regional biking facilities;
- (d) The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
- (e) The property described in Exhibit 1 is being acquired in fee and is necessary for the construction of the proposed project; and
- (f) The offer required by Government Code Section 7267.2 has been made to the owners of record of the real property.

Section 2. General Counsel of Alameda CTC or his duly authorized designee, shall be, and is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such action as counsel may deem advisable or necessary in connection therewith. An order for prejudgment possession may be obtained in said action and a warrant may be issued and deposited with the State Treasurer Condemnation Fund, in the amount determined as the probable amount of compensation for the property sought to be acquired, as a condition to the right of possession.

ADOPTED February 25, 2021, by the Commission of the Alameda County Transportation Commission by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Pauline Cutter, Chairperson

ATTEST:

Vanessa Lee, Clerk of the Commission

APPROVED AS TO FORM:

General Counsel of the Alameda
County Transportation Commission

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Exhibit 1

(comprised of Exhibits A, B, and C for Parcels 64014-1 and 64014-2)

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Exhibit A

PARCEL 64014-1

Real Property situated in the City of Berkeley, County of Alameda, State of California, being a portion of the Lands of Golden Gate Land Holdings, LLC as described in that certain Corporation Grant Deed recorded May 4, 2010 as Document Number 2010-121272 in the Office of the County Recorder of said Alameda County, said portion being more particularly described as follows:

Beginning at a point on the easterly line of said Lands, also being the westerly right of way line of State Route 80, said **Point of Beginning** being North 11°00'00" West, 19.71 feet from the southeasterly terminus of that certain course listed as N. 11°00'00" W., 31.55 feet as described in Parcel 5 in that certain Quitclaim Deed to the State of California recorded December 31, 1953 in Book 7217 of Official Records of said County at Pages 35 through 44 (being Recorder's Serial Number AH-113684) said Office of the County Recorder of said Alameda County; thence along the boundary of said Parcel 5 South 11°00'00" West 19.71 feet to said southeasterly terminus, also being the southeasterly terminus of the course shown as "N 11°00'00" W, 75.26' " on sheet 3 of that Record of Survey # 2054 filed for Record May 22, 2006 in Book 31 of Record of Surveys, at Pages 1-5, said Office of the County Recorder of said Alameda County; thence continuing along the boundary of said Parcel 5 along a tangent curve to the right, having a radius of 40.00 feet, having an included angle of 87°47'41", an arc length of 61.29 feet; thence continuing along the boundary of said Parcel 5 South 76°47'41" West, 42.68 feet to a point that is North 13°12'19" West, 103.00 feet and North 76°47'41" East, 37.95 feet from **Point B** as shown on that certain Record of Survey # 2093 filed March 7, 2007 in Book 31 of Record of Surveys at Pages 79 through 82, said Office of the County Recorder of said Alameda County; thence into said Lands of the Golden Gate Land Holdings, LLC North 41°54'26" East, 101.68 feet to the **Point of Beginning**.

Contains 2,047 sq. ft., more or less

Bearings and distances based upon the California Coordinate System (CCS 83, Zone 3, Epoch 2010.00) Multiply distances by 1.000064 to obtain ground distances

Signature _____

Helmur R. Korstick
Helmur R. Korstick
Licensed Land Surveyor (PLS 7739)

Date _____

MAR. 11, 2020



Exhibit B

PARCEL 64014-2

A temporary easement to terminate December 31, 2023 for construction purposes over, through, and across that Real Property situated in the City of Berkeley, County of Alameda, State of California, being a portion of the Lands of Golden Gate Land Holdings, LLC as described in that certain Corporation Grant Deed recorded May 4, 2010 as document Number 2010-121272 in the Office of the County Recorder of said Alameda County, said portion being more particularly described as follows:

Beginning at a point on the easterly line of said Lands, also being the westerly right of way line of State Route 80, said **Point of Beginning** being North 11°00'00" West, 19.71 feet from the southeasterly terminus of that certain course listed as N. 11°00'00" W., 31.55 feet as described in Parcel 5 in that certain Quitclaim Deed to the State of California recorded December 31, 1953 in Book 7217 of Official Records at Pages 35 through 44 (being Recorder's Serial Number AH-113684) said Office of the County Recorder of said Alameda County; thence into said Lands of Golden Gate Land Holdings, LLC South 41°54'26" West, 101.68 to a point on the northerly line of said Parcel 5, also being the southerly line of said Lands of Golden Gate Land Holdings, LLC; thence along said northerly line of said Parcel 5 and the southerly line of said Lands of Golden Gate Land Holdings, LLC South 76°47'41" West, 37.95 feet to the northwesterly corner of said Parcel 5, said corner being North 13°12'19" West, 103.00 feet from **Point B** as shown on that certain Record of Survey #2093 filed March 7, 2007 in Book 31 of Record of Surveys at Pages 79 through 82, said Office of the County Recorder of said Alameda County; thence along the westerly line of said Parcel 5 and the southerly line of said Lands of Golden Gate Land Holdings, LLC South 13°12'19" East, 23.00 feet to a point on the northerly line of Gilman Street; thence continuing along the southerly line of said Lands of Golden Gate Land Holdings, LLC and the northerly line of said Gilman Street South 76°47'41" West, 74.28 feet; thence into said Lands of Golden Gate Land Holdings, LLC North 12°49'15" West, 2.95 feet; thence North 77°03'08" East, 32.70 feet; thence North 18°03'20" East, 42.61 feet; thence South 71°56'56" East, 4.58 feet; thence North 18°03'22" East, 65.31 feet; thence South 72°34'02" East, 26.23 feet; thence South 16°56'32" West, 43.31 feet; thence South 41°02'12" East, 4.84 feet; thence South 70°48'58" East, 2.93 feet; thence North 75°53'43" East, 4.67 feet; thence North 17°51'43" East, 43.48 feet; thence South 72°40'44" East, 15.34 feet; thence North 61°30'36" East, 59.22 feet to the **Point of Beginning**.

Contains 4,994 sq. ft., more or less

Bearings and distances based upon the California Coordinate System (CCS 83, Zone 3, Epoch 2010.00) Multiply distances by 1.000064 to obtain ground distances

Signature


Helmut R. Korstick

Licensed Land Surveyor (PLS 7739)

Date

MAR. 11, 2020



EXHIBIT C

[illegible]

**RESOLUTION NO. 21-005**

Commission Chair
Mayor Pauline Russo Cutter
City of San Leandro

Commission Vice Chair
Councilmember John Bauters
City of Emeryville

AC Transit
Board President Elsa Ortiz

Alameda County
Supervisor David Haubert, District 1
Supervisor Richard Valle, District 2
Supervisor Wilma Chan, District 3
Supervisor Nate Miley, District 4
Supervisor Keith Carson, District 5

BART
Vice President Rebecca Saltzman

City of Alameda
Mayor Marilyn Ezzy Ashcraft

City of Albany
Councilmember Rochelle Nason

City of Berkeley
Councilmember Lori Droste

City of Dublin
Mayor Melissa Hernandez

City of Fremont
Mayor Lily Mei

City of Hayward
Mayor Barbara Halliday

City of Livermore
Mayor Bob Woerner

City of Newark
Councilmember Luis Freitas

City of Oakland
Councilmember At-Large
Rebecca Kaplan
Councilmember Sheng Thao

City of Piedmont
Councilmember Jen Cavanaugh

City of Pleasanton
Mayor Karla Brown

City of Union City
Mayor Carol Dutra-Vernaci

Executive Director
Tess Lengyel

A RESOLUTION OF THE ALAMEDA COUNTY TRANSPORTATION COMMISSION DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN LAND AND DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS ON CERTAIN PROPERTY FOR THE INTERSTATE 80 GILMAN IMPROVEMENT PROJECT

WHEREAS, the Alameda County Transportation Commission ("Alameda CTC") is vested with the power of eminent domain and is authorized to acquire real property by virtue of Article 1, Section 19 of the Constitution of the State of California; Section 25350.5 of the Government Code of the State of California, as delegated in Section 14 of the Alameda CTC Joint Powers Agreement; Section 760 of the Streets and Highways Code of the State of California; and Sections 1240.010, 1240.110, and 1240.610 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the County of Alameda; and

WHEREAS, it is desirable and necessary for Alameda CTC to acquire certain real property and property interests, particularly described in Exhibit 1, for the purpose of, *inter alia*, allowing for the I-80/Gilman Street Interchange Improvements to accommodate current and future traffic needs, provide safe access for pedestrians and bicyclists, reduce congestion and improve mobility, simplify traffic operations, navigation and mobility at the interchange, shorten queues, reduce turning conflicts and improve merging, and improve local and regional biking facilities; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure, written notice has been duly given to all persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last County of Alameda equalized assessment roll, all of whom have been given a reasonable opportunity to appear and be heard before the governing body of Alameda CTC (the "Commission") on the following matters:

- a) Whether the public interest and necessity require the project;
- b) Whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c) Whether the property sought to be acquired is necessary for the project; and

- d) Whether the offer required by Section 7267.2 of the Government Code has been made to the owners of record.

NOW THEREFORE, BE IT RESOLVED, by at least a four-fifths vote of the Commission, pursuant to Sections 1240.030 and 1245.230 of the Code of Civil Procedure of the State of California, that this Commission does and it hereby finds and determines each of the following:

Section 1. Based upon the evidence presented, this Commission finds and resolves as follows:

- (a) The property to be acquired is described in Exhibit 1, attached hereto and incorporated herein;
- (b) Said property is to be acquired for public use, to wit, for public highway purposes, pursuant to the authority granted by Article 1, Section 19 of the Constitution of the State of California; Section 25350.5 of the Government Code of the State of California, as delegated in Section 14 of the Alameda CTC Joint Powers Agreement; Section 760 of the Streets and Highways Code of the State of California; and Part 3, Title 7 of the Code of Civil Procedure;
- (c) The public interest and necessity require the project, which is to allow for the I-80/Gilman Street Interchange Improvements to accommodate current and future traffic needs, provide safe access for pedestrians and bicyclists, reduce congestion and improves mobility, simplify traffic operations, navigation and mobility at the interchange, shorten queues, reduce turning conflicts and improve merging, and improve local and regional biking facilities;
- (d) The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
- (e) The property described in Exhibit 1 is being acquired in fee and is necessary for the construction of the proposed project; and
- (f) The offer required by Government Code Section 7267.2 has been made to the owners of record of the real property.

Section 2. General Counsel of Alameda CTC or his duly authorized designee, shall be, and is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such action as counsel may deem advisable or necessary in connection therewith. An order for prejudgment possession may be obtained in said action and a warrant may be issued and deposited with the State Treasurer Condemnation Fund, in the amount determined as the probable amount of compensation for the property sought to be acquired, as a condition to the right of possession.

ADOPTED February 25, 2021, by the Commission of the Alameda County Transportation Commission by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Pauline Cutter, Chairperson

ATTEST:

Vanessa Lee, Clerk of the Commission

APPROVED AS TO FORM:

General Counsel of the Alameda
County Transportation Commission

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Exhibit 1

(comprised of Exhibits A and B for Parcel 64016-1)

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Exhibit A

PARCEL 64016-1

This conveyance is made for the purpose of a freeway and the GRANTOR hereby releases and relinquishes to the GRANTEE any and all abutter's rights including access rights, appurtenant to GRANTOR'S property, in and to said freeway over and across the following line:

Beginning at the most easterly corner of the Lands of Garelo Properties, LLC as described in that certain Grant Deed recorded October 24, 2002 as Document Number 2002-483983, in the Office of the County Recorder of Alameda County, State of California, said easterly corner also being the southeast corner of Lot 32 in Block 11 as shown on the Map of Tract B of The Berkeley LTI Association filed February 4, 1876 in Map Book 19, Page 79, said Office of the County Recorder of said Alameda County; thence along the boundary of said Lands of Garelo Properties, LLC South $76^{\circ}47'41''$ West, 4.09 feet; thence continuing along the boundary of said Lands of Garelo Properties, LLC, along a tangent curve to the right, having a radius of 40.00 feet, having an included angle of $68^{\circ}00'19''$, an arc length of 47.48 feet; thence continuing along the boundary of said Lands of Garelo Properties, LLC, North $35^{\circ}12'00''$ West, 108.02 feet to the terminus point of the herein described line.

Bearings and distances based upon the California Coordinate System (CCS 83, Zone 3, Epoch 2010.00) Multiply distances by 1.000064 to obtain ground distances

Signature _____

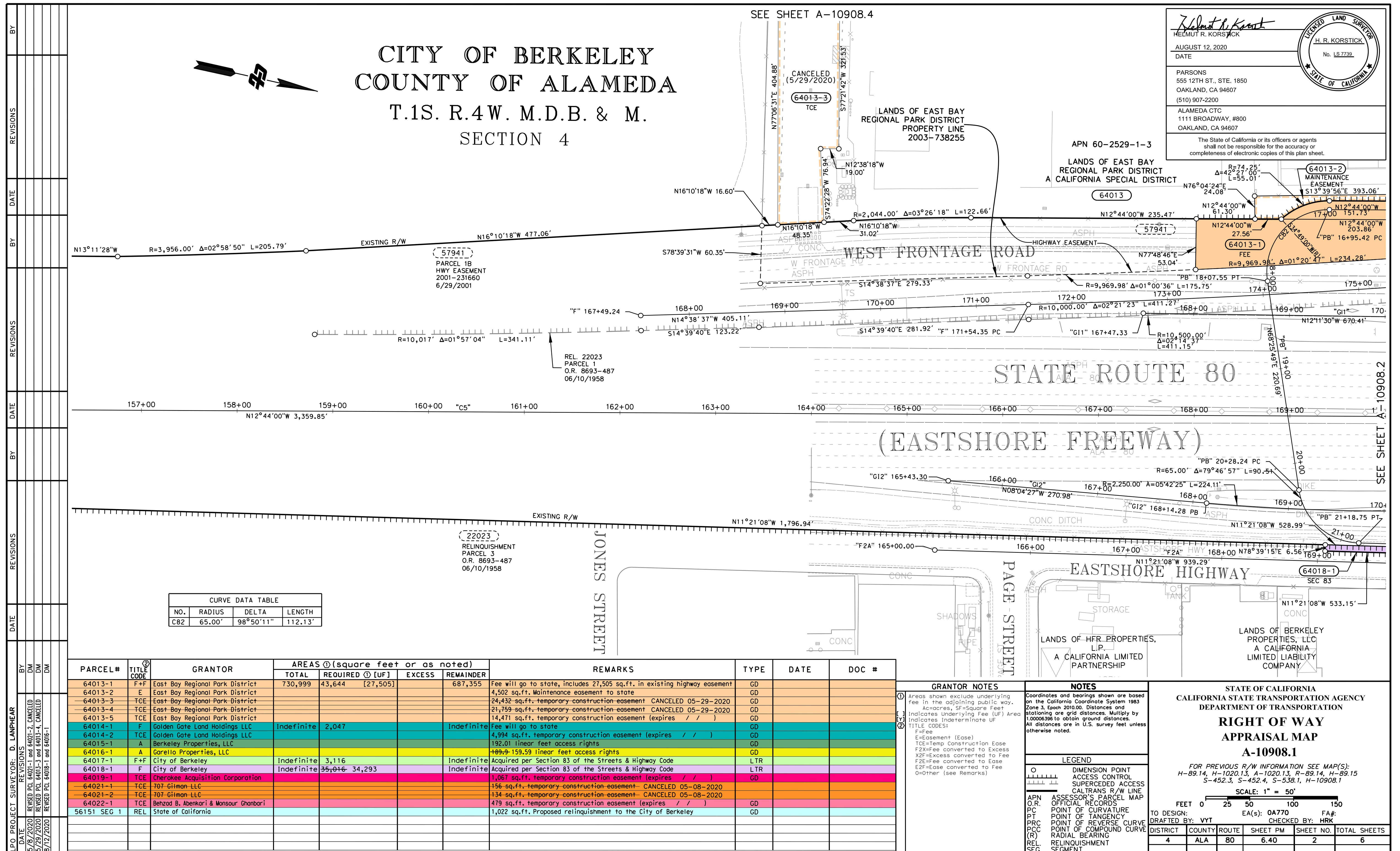
Helmut R. Korstick

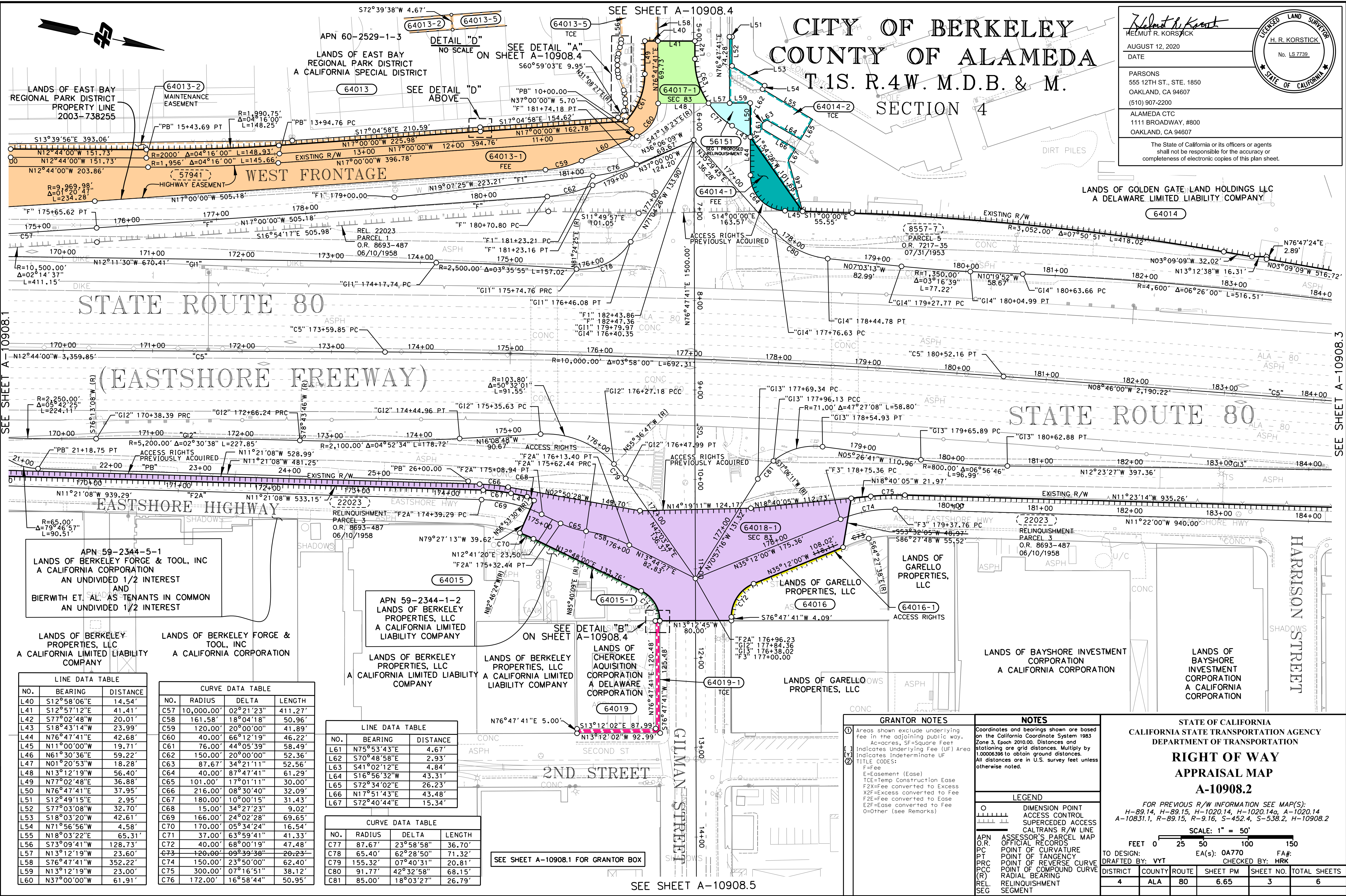
Licensed Land Surveyor (PLS 7739)

Date _____

JAN. 4, 2021







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**RESOLUTION NO. 21-006**

Commission Chair
Mayor Pauline Russo Cutter
City of San Leandro

Commission Vice Chair
Councilmember John Bauters
City of Emeryville

AC Transit
Board President Elsa Ortiz

Alameda County
Supervisor David Haubert, District 1
Supervisor Richard Valle, District 2
Supervisor Wilma Chan, District 3
Supervisor Nate Miley, District 4
Supervisor Keith Carson, District 5

BART
Vice President Rebecca Saltzman

City of Alameda
Mayor Marilyn Ezzy Ashcraft

City of Albany
Councilmember Rochelle Nason

City of Berkeley
Councilmember Lori Droste

City of Dublin
Mayor Melissa Hernandez

City of Fremont
Mayor Lily Mei

City of Hayward
Mayor Barbara Halliday

City of Livermore
Mayor Bob Woerner

City of Newark
Councilmember Luis Freitas

City of Oakland
Councilmember At-Large
Rebecca Kaplan
Councilmember Sheng Thao

City of Piedmont
Councilmember Jen Cavanaugh

City of Pleasanton
Mayor Karla Brown

City of Union City
Mayor Carol Dutra-Vernaci

Executive Director
Tess Lengyel

A RESOLUTION OF THE ALAMEDA COUNTY TRANSPORTATION COMMISSION DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN LAND AND DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS ON CERTAIN PROPERTY FOR THE INTERSTATE 80 GILMAN IMPROVEMENT PROJECT

WHEREAS, the Alameda County Transportation Commission ("Alameda CTC") is vested with the power of eminent domain and is authorized to acquire real property by virtue of Article 1, Section 19 of the Constitution of the State of California; Section 25350.5 of the Government Code of the State of California, as delegated in Section 14 of the Alameda CTC Joint Powers Agreement; Section 760 of the Streets and Highways Code of the State of California; and Sections 1240.010, 1240.110, and 1240.610 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the County of Alameda; and

WHEREAS, it is desirable and necessary for Alameda CTC to acquire certain real property and property interests, particularly described in Exhibit 1, for the purpose of, *inter alia*, allowing for the I-80/Gilman Street Interchange Improvements to accommodate current and future traffic needs, provide safe access for pedestrians and bicyclists, reduce congestion and improve mobility, simplify traffic operations, navigation and mobility at the interchange, shorten queues, reduce turning conflicts and improve merging, and improve local and regional biking facilities; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure, written notice has been duly given to all persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last County of Alameda equalized assessment roll, all of whom have been given a reasonable opportunity to appear and be heard before the governing body of Alameda CTC (the "Commission") on the following matters:

- a) Whether the public interest and necessity require the project;
- b) Whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c) Whether the property sought to be acquired is necessary for the project; and

- d) Whether the offer required by Section 7267.2 of the Government Code has been made to the owners of record.

NOW THEREFORE, BE IT RESOLVED, by at least a four-fifths vote of the Commission, pursuant to Sections 1240.030 and 1245.230 of the Code of Civil Procedure of the State of California, that this Commission does and it hereby finds and determines each of the following:

Section 1. Based upon the evidence presented, this Commission finds and resolves as follows:

- (a) The property to be acquired is described in Exhibit 1, attached hereto and incorporated herein;
- (b) Said property is to be acquired for public use, to wit, for public highway purposes, pursuant to the authority granted by Article 1, Section 19 of the Constitution of the State of California; Section 25350.5 of the Government Code of the State of California, as delegated in Section 14 of the Alameda CTC Joint Powers Agreement; Section 760 of the Streets and Highways Code of the State of California; and Part 3, Title 7 of the Code of Civil Procedure;
- (c) The public interest and necessity require the project, which is to allow for the I-80/Gilman Street Interchange Improvements to accommodate current and future traffic needs, provide safe access for pedestrians and bicyclists, reduce congestion and improves mobility, simplify traffic operations, navigation and mobility at the interchange, shorten queues, reduce turning conflicts and improve merging, and improve local and regional biking facilities;
- (d) The proposed project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
- (e) The property described in Exhibit 1 is being acquired in fee and is necessary for the construction of the proposed project; and
- (f) The offer required by Government Code Section 7267.2 has been made to the owners of record of the real property.

Section 2. General Counsel of Alameda CTC or his duly authorized designee, shall be, and is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such action as counsel may deem advisable or necessary in connection therewith. An order for prejudgment possession may be obtained in said action and a warrant may be issued and deposited with the State Treasurer Condemnation Fund, in the amount determined as the probable amount of compensation for the property sought to be acquired, as a condition to the right of possession.

ADOPTED February 25, 2021, by the Commission of the Alameda County Transportation Commission by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Pauline Cutter, Chairperson

ATTEST:

Vanessa Lee, Clerk of the Commission

APPROVED AS TO FORM:

General Counsel of the Alameda
County Transportation Commission

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Exhibit 1

(comprised of Exhibits A and B for Parcel 64015-1)

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Exhibit A


PARCEL 64015-1

This conveyance is made for the purpose of a freeway and the GRANTOR hereby releases and relinquishes to the GRANTEE any and all abutter's rights including access rights, appurtenant to GRANTOR'S property, in and to said freeway over and across the following line:

Beginning at the most northerly corner of Parcel 9 as described in that certain Grant Deed to Berkeley Properties, LLC recorded May 25, 2007 as Document Number 2007-200688 in the Office of the County Recorder of Alameda County, State of California; thence along the northerly line of said Parcel 9 South $76^{\circ}47'41''$ West, 0.38 feet; thence continuing along the northerly line of said Parcel 9 along a tangent curve to the left, having a radius of 37.00 feet, having an included angle of $63^{\circ}59'41''$, an arc length of 41.33 feet; thence continuing along the northerly line of said Parcel 9 South $12^{\circ}48'00''$ West, 133.76 feet; thence continuing along the northerly line of said Parcel 9 along a tangent curve to the left, having a radius of 170.00 feet, having an included angle of $05^{\circ}06'58''$, an arc length of 15.18 feet to the most southerly corner of said Parcel 9, also being a point on the boundary of Parcel 7 of said Lands of Berkeley Properties, LLC; thence along the boundary of said Parcel 7 continuing on last said curve to the left, having an included angle of $00^{\circ}27'26''$, an arc length of 1.36 feet to the terminus point of the herein described line.

Bearings and distances based upon the California Coordinate System (CCS 83, Zone 3, Epoch 2010.00) Multiply distances by 1.000064 to obtain ground distances

Signature

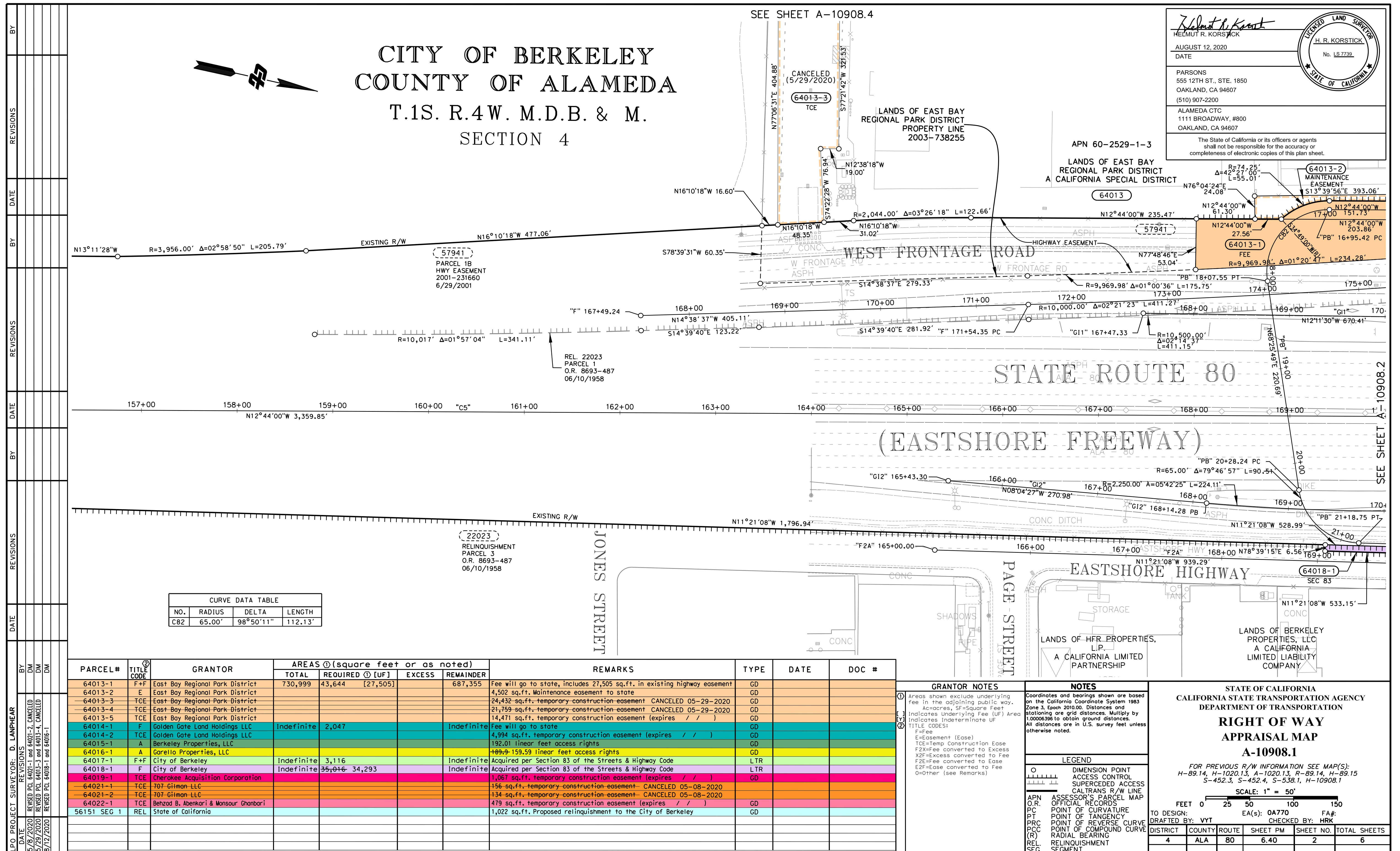

Helmut R. Korstick

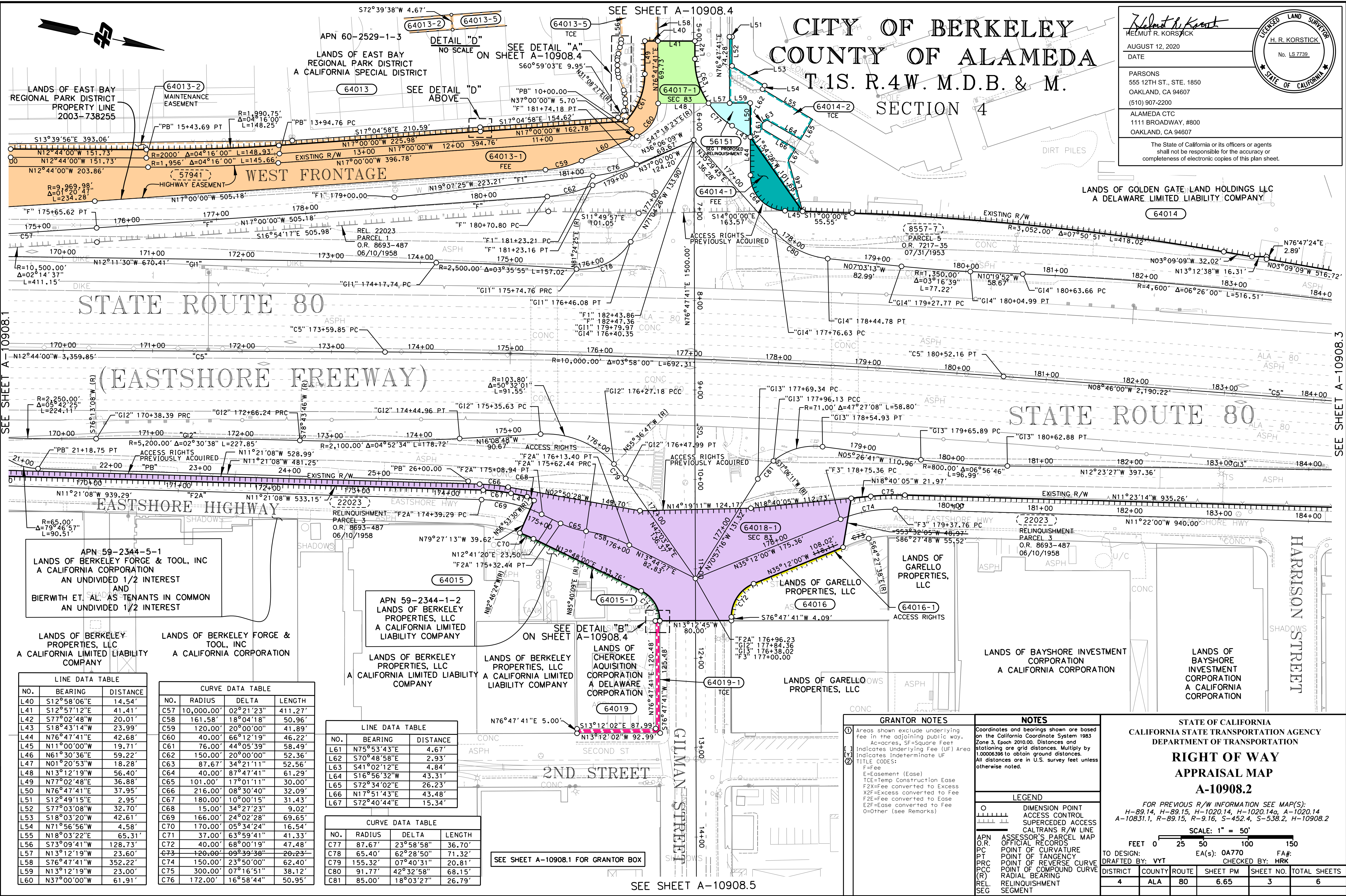
Licensed Land Surveyor (PLS 7739)

Date

MAR. 6, 2020







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